

HCP No.154 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 154 of 2026

Najrul Ali
S/o.Majid Ali,
No.12, Dhekena Bari Village,
Chhyagaon,
Kamrup District, Assam State.
(Now confined at Central Prison,
Puzhal,
Chennai).

...Petitioner/Detenue

Vs

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The Commissioner of Police,
Tambaram City.
3. The Superintendent of Prison,
Central Prison,
Puzhal,
Chennai-66.
4. The Inspector of Police,
Cyber Crime Wing,
Central Crime Branch,
Tambaram City.

...Respondents



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in Connection with the order of detention passed by the second respondent dated 30.11.2025 in Memo No.164/BBCDEFGISSSV/2025 against the petitioner namely Najrul Ali, Male aged 36 years, S/o.Majid Ali, who is confined at Central Prison, Puzhal, Chennai and set aside the same and direct the respondents to produce the detenue before the Court and set him at liberty.

For Petitioner: Ms.S.Rohini
for Mr.S.Senthilvel

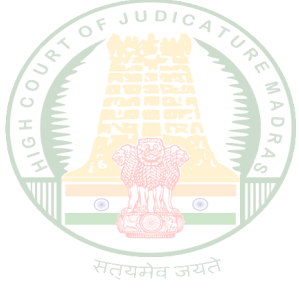
For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The detenu – M.Najrul Ali, aged 36 years, S/o.Majid Ali, has filed this petition challenging the detention order dated 30.11.2025, branding him as ‘Cyber Law Offender’ under Section 2(bb) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu for the respondents.

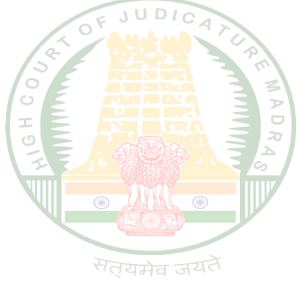


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3. We find on perusal of the record and on hearing the submissions on either side, the impugned order cannot be sustained on the sole ground that the special report sent by the sponsoring authority is undated. The compelling necessity to detain the detenu would depend on the date on which the sponsoring authority has sent his report. In the absence of the said date, the special report would become irrelevant and the compelling necessity to detain the detenu becomes doubtful.

4. Further in '*Rekha Vs. State of Tamil Nadu through Secretary to Government and another*' reported in '*2011 [5] SCC 244*', the Hon'ble Supreme Court had held that where the detention order is passed on any irrelevant material, then, the detention order is liable to be quashed. Therefore, we are of the view that for the aforesaid reason, the impugned detention order is liable to be set aside.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in BBCDEFGISSSV No.164/2025 dated 30.11.2025, is set aside.



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6. The detenu, viz., M.Najrul Ali, aged 36 years, S/o.Majid Ali, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
14-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy today.

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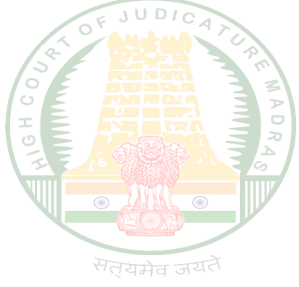


To

सत्यमेव जयते

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1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The Commissioner of Police,
Tambaram City.
3. The Superintendent of Prison,
Central Prison,
Puzhal,
Chennai-66.
4. The Inspector of Police,
Cyber Crime Wing,
Central Crime Branch,
Tambaram City.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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