



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 169 of 2026

Sumathi
S/o.Selladurai,
No. 14/29, Sanmugasundaram Street,
Saligramam,
Chennai.

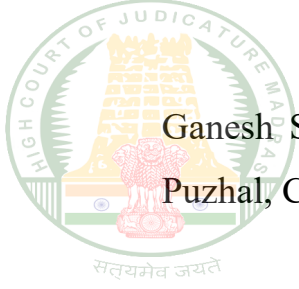
..Petitioner(s)

Vs

1. State of Tamil Nadu Represented by Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai.
4. State Rep by Inspector of Police
Virugambakkam Police Station,
Chennai.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records of the 2nd respondent pertaining to the order made in 885/BBCDEFGISSSV/2025 dt. 31.10.2025 in detaining the detainee under the Tamilnadu Act 14/1982 as a brand of Goonda and quash the same and direct the respondents to produce the detainee, namely



Ganesh S/o.Chelladurai, aged 23 years who is detained at the Central Prison Puzhal, Chennai, before this Hon'ble Court and set him at liberty.

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For Petitioner(s):

Mr.Karthick.S

For Respondent(s):

Mr.C.R.Malavannan

Counsel for Government of Tamil Nadu
(Criminal Side)

Order

(Order of the Court was made by Dr.Anita Sumanth J.)

The mother of the detenu viz., Ganesh, S/o.Chelladurai, male, aged 23 years, who has been branded as Goonda under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act), has filed this habeas corpus petition challenging detention order dated 31.10.2025.

2. We have heard Mr.Karthick.S, learned counsel for petitioner and Mr.C.R.Malarvannan, learned Counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. The detenu had been detained under order dated 31.10.2025 and learned counsel for petitioner would draw our attention to the fact that G.O. has not been given to the detenu though referred to in the detention order.

4. The basis of the grounds of detention is the power assumed by the Commissioner of Police by virtue of G.O.(D) No.261, Home, Prohibition and Excise (XVI) Department, dated 14.10.2025. Hence it is incumbent on the authority to supply a copy of the Government Order to the detenu as he must be aware of the basis upon which the authority has assumed the jurisdiction to pass



the detention order. In its absence, the detenu will be at a loss as to what such basis is, and would be denied of the opportunity of challenging the basis of assumption of power.

5. In light of the above, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.885/BBCDEFGISSSV/2025 dated 31.10.2025 is set aside.

6. The detenu, viz., Ganesh, S/o. Chelladurai, aged 23 years, now confined in Central Prison, Puzhal, Chennai is 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.)
07-07-2026

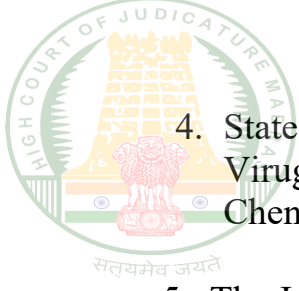
Index: Yes/No
Speaking order
Neutral Citation: Yes

SSM

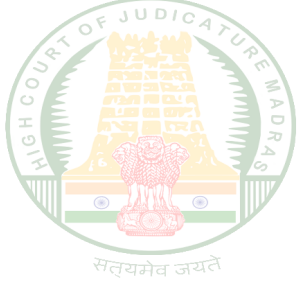
Note to Registry : Issue Today

To

1. State of Tamil Nadu Represented by Secretary to Government
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police
Greater Chennai.
3. The Superintendent of Prison
Central Prison,
Puzhal,
Chennai.



4. State by The Inspector of Police
Virugambakkam Police Station,
Chennai.
5. The Joint Secretary to Government
Public (Law and Order),
Fort St.George, Chennai – 9.
6. The Public Prosecutor,
High Court, Madras.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

HCP No. 169 of 2026

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