



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2026

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THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.(Crl).No. 1962 of 2026

And

W.P.M.P.(Crl.) No. 710 of 2026

Janani @ Jeni

... Petitioner

Vs.

1. The Additional Secretary to Government
Public (Foreigners-II) Department
Secretariat, Chennai – 600 009.
2. The Superintendent of Police
Q-Branch CID, Mylapore
Chennai – 600 004.
3. The District Collector
Tiruchirappalli District
Trichy – 620 001.
4. The Inspector of Police
CB-CID Metro-II, Chennai
Egmore, Chennai – 600 008.

...Respondents

PRAYER: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records in G.O.(1D).No.77 Public (Foreigners-II) Department, dated 19.02.2026, passed by the respondent No.1 and quash the same and consequently direct the respondents to be permitted the petitioner Janani @ Jeni D/o. Palasingam, aged 32 years, to stay with the petitioner's



mother at D.No.201, 2nd Floor, Radison Krishna Apartment, plot No.320
ETA Wing Haven Garden, Karanai Village, Thalambur Panchayat,
Vandalur Taluk, Chengalpattu District, Chennai – 600 130.

For Petitioner : Mr. P. Pugalenth

For Respondents : Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu (Crl.Side)
High Court of Madras.

ORDER

The petitioner is detained at the Special Camp in Tiruchirappalli.
An order to that effect was passed on 19.02.2026 by the first respondent.
Challenging this order, the present writ petition has been filed.

2. I heard Mr. P. Pugalenth for the petitioner and Mr.S.Yogaraja
Sekar, counsel for Government of Tamil Nadu (Crl.Side) for the
respondents.

3. The petitioner states that she was born and brought up in India.
She claims that her mother is a permanent resident of the refugee camp at
Namakkal and is currently staying at Vandalur in Chennai. The petitioner
was detained at the special camp in Tiruchirappalli, following a request
by the Superintendent of the Q-Branch CID, Chennai. The



Superintendent reported that the petitioner is an accused in Crime No. 1 of 2025 registered at CBCID Metro-II, Chennai. The allegation is that the petitioner, along with her associates in Trichy, was involved in online scams. Considering the Q-Branch's request, the government ordered the petitioner to remain at the Tiruchirappalli special camp until her deportation. It was further directed that she should not leave the Special Camp without the prior permission of the District Collector at Tiruchirappalli.

4. The petitioner states that from time to time, the Government of Tamil Nadu issues “de-lodge” orders, permitting Sri Lankan refugees to stay with their relatives. The petitioner seeks that a similar benefit be extended to her as well. Hence, the present Writ Petition.

5. This Court entertain the Writ Petition and directed the State to file a counter-affidavit.

6. The counter narrates that the petitioner and one Johnson Angelo engaged in online scamming by making false allegations regarding subscriptions to child pornography and extorted money through intimidation and coercion. It is further alleged that the petitioner has been



absconding from the very beginning. Accordingly, a look-out circular was issued against the petitioner on 04.09.2025.

7. When the petitioner returned to India on 20.01.2026, due intimation was given by the Bureau of Immigration, Chennai, to the concerned police. She was arrested by the CBCID team and remanded to custody. It is further stated that after her release from judicial custody, the petitioner has been confined at a Special Camp at Tiruchirappalli, pursuant to orders passed under Section 7(2) of the Immigration and Foreigners Act, 2025. The counter asserts that the State has the sovereign power to impose conditions, and the petitioner was directed to stay at the Special Camp, considering the gravity of the allegations, security concerns, and inputs from the Investigating Agency.

8. It is further pointed out that this is the third writ petition filed before this Court for the very same relief. Previously, the petitioner had filed W.P.(Crl.) No.1193 of 2026, which was dismissed on 08.06.2026. Subsequently, her mother filed W.P.(Crl.) No.1817 of 2026, which was dismissed on 28.07.2026. After narrating these facts, the counter seeks the dismissal of the writ petition.

9. I heard the counsels. I have gone through the records.



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10. The Immigration and Foreigners Act, 2025 has empowered the Government under Section 7(2)(e) to issue necessary orders, directions or instructions to a foreigner regarding staying in such area in India as may be specified. The right under Article 19(1)(d) is available only to citizens. A foreigner cannot claim the right to move freely throughout the territory of India.

11. The petitioner is alleged to have been engaged in criminal activities, and a case is pending. She is on bail as per the order of this Court in Crl.O.P.No. 3932 of 2026, dated 18.02.2026. A request that the petitioner be allowed to stay with her mother was previously dismissed by this Court in W.P.(Crl.) No. 1193 of 2026, dated 08.06.2026.

12. In a Writ Petition seeking Certiorari, this Court does not act as an appellate authority over the respondents. The scope of the Writ Petition is to determine whether the authority possesses the power, and if so, whether it has been exercised in a proper manner.

13. I have already pointed out that under Section 7(2)(e) of the Central Government Act 13 of 2025, the Government can direct the petitioner to confine her activities and movements to a particular area as



may be specified. The purpose of this order is to ensure that the petitioner can be deported soon after the criminal proceedings conclude. The petitioner, who is accused of online scamming, cannot be treated on par with individuals against whom no criminal activities are pending. In any event, whether the foreigners have come into this country or not, that is a decision that must be made by the Central Government. It falls within the domain of the executive. This Court, unless and until the order is vitiated by arbitrariness or capriciousness, should not interfere with the same.

14. I do not find any of these defects in the present case. The Writ Petition stands dismissed. No costs. Consequently, W.P.M.P.(Crl.) No. 710 of 2026 is allowed as prayed for.

vsg

19.08.2026

To

1. The Additional Secretary to Government
Public (Foreigners-II) Department
Secretariat, Chennai – 600 009.
2. The Superintendent of Police



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Q-Branch CID, Mylapore
Chennai – 600 004.

3. The District Collector
Tiruchirappalli District
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CB-CID Metro-II, Chennai
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V. LAKSHMINARAYANAN , J.

vsg

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