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H.C.P.Nos.2091 & 2122 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.Nos.2091 & 2122 of 2025

HCP No. 2091 of 2025

Hemapriya, Female, aged 32 years,
W/o. Mathew,
Mannadiyamman Kovil Street,
Erumaiyur Village, Kundrathur Taluk,
Kancheepuram District.

.. Petitioner

VS

1.The 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, Cuddalore.

4.The Inspector of Police,
T-11 Somangalam Police Station,
Tambaram City.

.. Respondents

Prayer in HCP No. 2091 of 2025 : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records in connection with the order of detention passed by



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the 2nd respondent 14.08.2025 in BBCDEFGISSSV No.97/2025 against the petitioner's husband S.Mathew, male, aged 34 years, S/o. Sekar, who is confined at Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

HCP No. 2122 of 2025

Devi, Female, aged 53 years,
W/o. Parthiban,
No.3/87, Anna Street,
Pazhanthandalam Village, Kundrathur Taluk,
Kancheepuram District.

.. Petitioner

VS

1.The 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, Vellore.

4.The Inspector of Police,
T-11 Somangalam Police Station,
Tambaram City.

.. Respondents

Prayer in HCP No. 2122 of 2025 : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records in connection with the order of detention passed by the 2nd respondent 14.08.2025 in BBCDEFGISSSV No.98/2025 against the petitioner's son P.Senthamil Selvan, male, aged 28 years, S/o. Parthiban, who is confined at Central Prison, Vellore and set aside the



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same and direct the respondents to produce the detenu before this Court and set him at liberty.

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(in both)

For Petitioner : Mr.P.Raman

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

COMMON ORDER

(Made by Dr. ANITA SUMANTH, J.)

The wife of S.Mathew (detenu in HCP No. 2091/25) and mother of P.Senthamil Selvan (detenu in HCP No. 2122/25) have approached this Court seeking to quash detention orders dated 14.08.2025 branded them as 'Goonda' under section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. The detenus were arrested and remanded in Crime Nos. 179/2025, 180/2025 and 181/2025. Both of them have a history of prior crimes. The facts so far as relevant to the present petitions, are similar, in that, neither of them have filed bail applications.

3. While so, the sponsoring authority states that their relatives are avowedly taking steps to enlarge them on bail. We find no material, to



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support such an inference save a statement recorded from their wife/mother relied upon by the detaining authority.

4. However, the statements, placed at page 167 of Vol II of the booklets are unsigned. We have been consistently taking the view that if the detaining authority wishes to rely on the statement of a relative to infer that there are chances that the detenu may be enlarged on bail, such statement must be necessarily signed. Reliance on Section 180(3) of BNS, 2023 to state that the 180 statement need not be signed, would thus be of no avail in the present circumstances. Hence the unsigned statement based on which the inference of the detaining authority is drawn, would be of no assistance to the authorities in the said matter.

5. That apart, we find that the Special Report of the police authorities at page nos. 166 and 167 of Volume I of the booklets, is not dated. Since the Special Report is one of the basis for the detention, it is necessary that it must be dated. In the absence of the date, it loses its credibility and relevance qua the order of detention.

6. In light of the aforesaid discussion, the Habeas Corpus Petitions allowed and Detention Orders passed by the second respondent in BBCDEFGISSSV Nos.97 & 98/2025 dated 14.08.2025 are set aside.

7. The detenus, viz., S.Mathew, S/o. Sekar, aged 34 years, (HCP No. 2091/25) P.Senthamil Selvan, aged 28 years, S/o. Parthiban (HCP



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No. 2122/25) who are now confined in Central Prison, Cuddalore, are hereby directed to be set at liberty forthwith unless their presence is required in connection with any other case.

[A.S.M, J.] [S.M, J.]
16.04.2026

Index:Yes/No
Neutral Citation:Yes
ssm

Note : Issue Today

To

- 1.The 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, Cuddalore.
- 4.The Superintendent of Prison,
Central Prison, Vellore.
- 5.The Inspector of Police,
T-11 Somangalam Police Station,
Tambaram City.
- 6.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 7.The Public Prosecutor,
High Court, Madras.



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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

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