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W.P. CrI. No.1777 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2026

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. CrI. No.1777 of 2025

And

W.P.M.P. CrI. No.833 of 2025

Atanda Sheu Adelake
S/o.Sulaiman Wasiu Atanda,
Nigerian National,
Currently confined at
Special Camp,
Trichy.

... Petitioner

Vs.

- 1 The State of Tamil Nadu,
Rep. By its Secretary to Government,
Public (Foreigners-I) Department,
Fort St.George,
Chennai – 600 009.
- 2 The District Collector,
Thiruchirappalli District,
Tiruchirappalli.
- 3 State Rep by
The Inspector of Police,
D2, Anna Salai Police Station,
Chennai.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorari to call for the records passed by the first



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respondent in Ref.No. with G.O.(1D) No.397 dated 04.07.2025 quash
the same.

For Petitioner : Ms.P.Keerthana

For Respondents : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)
High Court of Madras

ORDER

This writ petition has been filed challenging the order passed by the first respondent in G.O.(1D) No.397 dated 04.07.2025, thereby directed the petitioner to stay at Special Camp identified and located by the District Collector, Tiruchirappalli District until the Cheyyar Special Camp in Tiruvannamalai becomes operational.

2.The petitioner is an accused in Crime No.118/2025 registered for the offence under Sections 8(c) read with 20(b)(ii)(A), 22(b), 25 and 29(1) of the NDPS Act alleging that the petitioner was in possession of 296 grams of Ganja, 5 grams of OG Ganja, 4 MDMA tablets weighing 2 grams, 32 grams of Methamphetamine, 15 grams of Cocaine and 7 grams of Heroin. In pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody and



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thereafter granted bail by the trial Court in CrI.M.P.No.3007 of 2025 dated 17.06.2025. The petitioner being a foreigner have no permanent residence in India. He was directed to reside in the Special Camp.

3.The learned counsel for the petitioner submits that the petitioner is a Nigerian National and as such The Foreigners Act does not apply to the petitioner except for limited ground. Further, the Central Government is empowered to declare by order that the provisions of the Act shall not apply to the citizens of any Common Wealth country. In exercise of the power conferred by the said provision, the Central Government issued Foreigners Exemption Order 1957. Therefore, The Foreigners Act and Foreigners Orders do not apply to citizens of several countries.

4.On perusal of records, the petitioner is a Nigerian National and no charge is framed under The Foreigners Act. The petitioner committed very serious and heinous offence under the NDPS Act. Therefore, the first respondent rightly passed the order directing the petitioner to stay in the Special Camp and this Court finds no infirmity or illegality in the impugned order.

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5.The writ petition is dismissed. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 The Secretary to Government,
Public (Foreigners-I) Department,
Fort St.George,
Chennai – 600 009.
- 2 The District Collector,
Thiruchirappalli District,
Tiruchirappalli.
- 3 The Inspector of Police,
D2, Anna Salai Police Station,
Chennai.
- 4 The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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G.K.ILANTHIRAIYAN,J.
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