



WEB COPY



HCP No. 149 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 149 of 2026

A.Jesima Begam

..Petitioner

Vs

1. The State Of Tamilnadu, Rep. By,
The Secretary To Government
Home, Prohibition and Excise Department,
Fort, St.George,
Chennai - 600 009.
2. The Commissioner Of Police
Greater Chennai, Vepery,
Chennai District-600007.
3. The Superintendent
Central Prison Puzhal,
Chennai District-600066.
4. The Inspector Of Police
N3-Muthialpet Police Station,
Chennai-600001.

..Respondent(s)

Prayer: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other appropriate Writ or direction, calling for the records in connection



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with the Detention order passed by the 2nd respondent in proceedings No.600/BBCDEFGISSSV/2025, dated 26.08.2025, against the petitioner's Husband viz. Mohamed Ali Zinnah, aged about 55 years, S/o. Mohamed Safi, as a Drug Offender under the Tamil Nadu Act 14 of 1982, now confined at Central Prison, Puzhal, Chennai and set aside the same and consequently direct the respondents to produce the detenue before this Court and set him at liberty.

For Petitioner: Ms.A.Shanthi

For Respondents: Mr.S.Rajakumar,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

ORDER

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

The wife of the detenu-Mohamed Ali Zinnah, branded as 'Drug Offender' under Section 2(e) of the Tamil Nadu Act 14 of 1982, has filed this petition challenging the detention order dated 26.08.2025.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



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3. In paragraph No.3 of the grounds of detention, the detaining authority had observed that the detenu has not moved any bail application and that the relatives of the detenu are taking steps to file a bail application. However, the said observation of the detaining authority is based on an undated report of the sponsoring authority and an undated statement of a relative purported to be recorded under Section 180(3) of the BNSS.

4. It is well settled that in the absence of any date in the said statement of the relative, the detaining authority's satisfaction that there is a real possibility of the detenue coming out on bail, is vitiated. Therefore, for the above reason, we are inclined to quash the detention order.

5. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Memo No.600/BBCDEFGISSSV/2025 dated 26.08.2025 is set aside.

6. The detenu, viz., Mohamed Ali Zinnah S/o. Mohamed Safi, aged 55 years, now confined in Central Prison, Puzhal, Chennai, is directed to



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be set at liberty forthwith, unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
26-03-2026

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

Note to office:
Issue order copy today

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To

1. The Secretary To Government
Home, Prohibition and Excise Department,
Fort, St.George,
Chennai - 600 009.

2. The Commissioner Of Police
Greater Chennai, Vepery,
Chennai District-600007.

3. The Superintendent
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4. The Inspector Of Police
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5. The Public Prosecutor,
High Court, Madras.



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

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