



HCP No.181 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

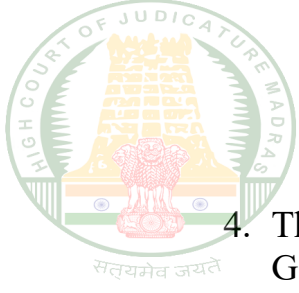
HCP No.181 of 2026

Malliga
W/o.Vijayakumar,
No.5, Vembuli Amman Kovil Street,
Ullagaram, Madipakkam,
Chennai.

..Petitioner/
Mother of the detenu

Vs

1. State of Tamil Nadu
Rep.by the Additional
Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 600 066.



4. The Inspector of Police,
G-7 Chetpet Police Station,
Chennai.

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...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records relating to the detention order passed by the 2nd respondent in No.838/BBCDEFGISSSV/2025 dated 25.10.2025 against the petitioner's son Vignesh @ Vikki, S/o.Vijayakumar, Male aged 24 years the detenue herein now confined in Central Prison Puzhal, Chennai and to set aside the detention order and direct the respondent to produce the petitioner's son before this Court and set him at liberty.

For Petitioner: Mr.T.I.Ramanathan

For Respondents: Mr.C.R.Malarvannan
Counsel for Government Of Tamil Nadu
(Criminal Side)

ORDER

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

The mother of the detenu – Vignesh @ Vikki, S/o.Vijayakumar, aged 24 years, has filed this petition challenging the detention order dated 25.10.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



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2. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu for the respondents.

3. We find on perusal of the record and on hearing the submissions on either side, the impugned order cannot be sustained on the sole ground that the special report sent by the sponsoring authority is undated. The compelling necessity to detain the detenu would depend on the date on which the sponsoring authority has sent his report. In the absence of the said date, the special report would become irrelevant and the compelling necessity to detain the detenu becomes doubtful.

4. Further in '*Rekha Vs. State of Tamil Nadu through Secretary to Government and another*' reported in '*2011 [5] SCC 244*', the Hon'ble Supreme Court had held that where the detention order is passed on any irrelevant material, then, the detention order is liable to be quashed. Therefore, we are of the view that for the aforesaid reason, the impugned detention order is liable to be set aside.



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5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.838/BBCDEFGISSSV/2025 dated 25.10.2025, is set aside.

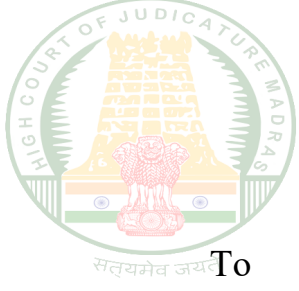
6. The detenu, viz., Vignesh @ Vikki, S/o.Vijayakumar, aged 24 years, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
01-07-2026

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

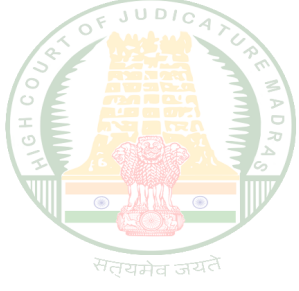
Issue Order Copy Today.

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- To
1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.
 2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.
 3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600066.
 4. The Inspector of Police,
G-7 Chetpet Police station,
Chennai.
 5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
 6. The Public Prosecutor,
High Court, Madras.



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

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