



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 183 of 2026

WEB COPY

Sumathi
W/o.Dinakaran,
No.42, B-Block,
SS.Puram, Otteri,
Chennai-600 012.

..Petitioner(s)

Vs

1. State of Tamilnadu 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.

..Respondent(s)



WEB COPY

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus or any other writ or direction calling for the records relating to the detention order passed by the 2nd respondent in No.837/BBCDEFGISSSV/2025 dated 25.10.2025 against the petitioner's son Madhavan @ Alavanthan, S/o.Dinakaran male aged 24 years the detenu herein now confined in Central Prison, Puzhal, Chennai and to set aside the detention order and direct the respondent to produce the physically bring the body of the detenu before this Honble court and set him at liberty.

For Petitioner(s): M/s.T.I.Ramanathan

For Respondent(s): Mr.C.R.Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side)

ORDER

(Made by Dr.Anita Sumanth J.)

One Madhavan @ Alavandhan, S/o. Dinakaran, aged 24 years has suffered an order of detention dated 25.10.2025 and his mother has approached this Court seeking to set aside the detention order.

2. Learned counsel appearing on behalf of the petitioner has raised various grievances as against the impugned order of detention. He also points out that the Special Report that forms an important basis for the grounds of detention, is not even dated.

3. We have heard both learned counsel for the petitioner as well as



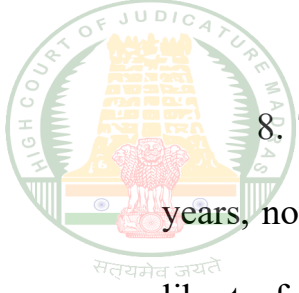
learned counsel for Government of Tamil Nadu (criminal side) for the respondents.

4. We have perused the Special Report which is placed at page 45 of the booklet furnished. As rightly pointed out, we find the same undated. Insofar as the Special Report is one of the important documents, based on which the decision to detain the petitioner has been taken, the same ought to have been dated, to establish credibility.

5. 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. That apart, in the absence of a date, the proximity of the document to the incriminating events is also lost, and to this extent, there is a snappage of the link between that document and the other events.

6. Further in *Rekha Vs. State of Tamil Nadu through Secretary to Government and another* (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 reasons the impugned detention order is liable to be set aside.

7. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.837/BBCDEFGISSSV/2025 dated 25.10.2025 is set aside.



8. The detenu, viz., Madhavan @ Alavandhan, S/o. Dinakaran, aged 24 years, now confined in Central Prison, Puzhal, Chennai, is 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.)
30-06-2026

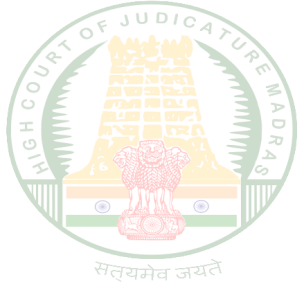
Index: Yes/No
Speaking order
Neutral Citation: Yes

ssm

Note to Registry : Issue Today

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-600 066.
4. The Inspector of Police,
G-7 Chetpet Police Station, Chennai.
5. The Joint Secretary to Government
Public (Law and Order),
Fort St.George, Chennai – 9.
6. The Public Prosecutor,
High Court, Madras.



WEB COPY

HCP No. 183 of 2



DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

ssm

HCP No. 183 of 2026

30-06-2026