



HCP No. 200 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

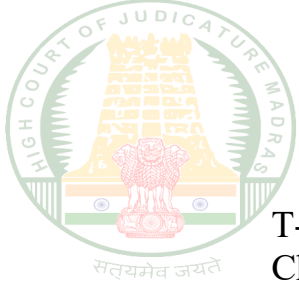
HCP No. 200 of 2026

Uma
W/o.Murugan,
No.213, 1st street,
Sakthi Nagar,
Poonthandalam,
Kundrathur Taluk,
Kancheepuram District.

..Petitioner/Mother of
the Detenue

Vs

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Commissioner of Police,
Tambaram City,
Office of the Commissioner of Police,
Sholinganallur,
Chennai - 600 119.
3. The Superintendent of Prison,
Central Prison,
Puzhal,
Chennai - 600 066.
4. State rep.by its,
The Inspector of Police,



T-5 Kundrathur 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 entire records, relating to the Petitioner's son detention under Tamil Nadu Act 14 of 1982 vide detention order dated 29.10.2025 on the file of the second respondent herein made in proceedings in BBCDEFGISSSV No.147/2025, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's son namely Rathinakumar, S/o.Murugan, aged 22 years before this Court and set the petitioner's son at liberty from detention, now the petitioner's son detained at Central Prison, Puzhal, Chennai.

For Petitioner :

Mr.D.Akash Kumar
for M/s.S.Vedavalli

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 – M.Rathinakumar, S/o.Murugan, aged 22 years, has filed this petition challenging the detention order dated 29.10.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

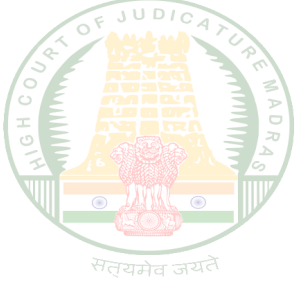


2. Heard the learned counsel for the petitioner and the learned

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 BBCDEFGISSSV.No.147/2025 dated 29.10.2025, is set aside.

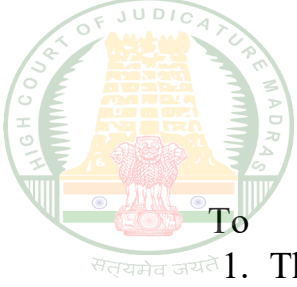
6. The detenu, viz., M.Rathinakumar, S/o.Murugan, aged 22 years, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
29-06-2026

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

Note: Issue Order Copy today.

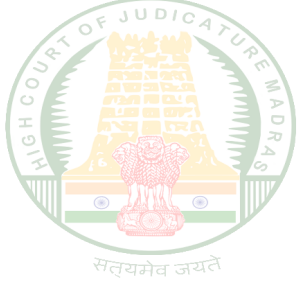
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To

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1. The Secretary to Government,
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Chennai-600 009.
2. The Commissioner of Police,
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Office of the Commissioner of Police,
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3. The Superintendent of Prison,
Central Prison,
Puzhal,
Chennai-600 066.
4. The Inspector of Police,
T-5 Kundrathur Police Station,
Chennai.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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

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