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H.C.P.Nos. 1672, 1673 & 1687 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.Nos. 1672, 1673 & 1687 of 2025

H.C.P.No. 1672 of 2025

Raman, M/A 55
son of Govindhasami,
No.188, Palleri Village,
Vasur Post, Walaja Taluk,
Ranipet District.

.. Petitioner

VS

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The District Collector and District Magistrate,
Ranipet District, Ranipet.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai – 66.
- 4.The Superintendent of Police,
Ranipet District, Ranipet.
- 5.The Inspector of Police,
Sholinghur Police Station,
Ranipet District.

.. Respondents



H.C.P.Nos. 1672, 1673 & 1687 of 2025

Prayer in HCP 1672 of 2025 : Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records in connection with the order of detention passed by the 2nd respondent dated 15.7.2025 in B3/D.O.No.61/2025 against the son of the petitioner Prabhu, M/A, 29, son of Raman, who is confined at Central Prison, Puzhal, Chennai and to set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

H.C.P.No. 1673 of 2025

Thrisha, F/A 40
wife of Duraimurugan,
No.268, Kulakarai Street,
Ramapuram Village,
Sholinghur Taluk,
Ranipet District.

.. Petitioner

VS

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The District Collector and District Magistrate,
Ranipet District, Ranipet.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai – 66.
- 4.The Superintendent of Police,
Ranipet District, Ranipet.
- 5.The Inspector of Police,
Sholinghur Police Station,
Ranipet District.

.. Respondents



H.C.P.Nos. 1672, 1673 & 1687 of 2025

Prayer in HCP 1673 of 2025 : Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records in connection with the order of detention passed by the 2nd respondent dated 15.7.2025 in B3/D.O.No.58/2025 against the wife of the petitioner Duraimurugan, , M/A, 25, son of Perumal, who is confined at Central Prison, Puzhal, Chennai and to set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

H.C.P.No. 1687 of 2025

Amutha, F/A, 44
wife of Venkatesan
No.11, Salai Street,
Kuppukalmedu Village,
Sholinghur Taluk,
Ranipet District.

.. Petitioner

VS

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The District Collector and District Magistrate,
Ranipet District, Ranipet.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai – 66.
- 4.The Superintendent of Police,
Ranipet District, Ranipet.
- 5.The Inspector of Police,
Sholinghur Police Station,
Ranipet District.

.. Respondents



H.C.P.Nos. 1672, 1673 & 1687 of 2025

Prayer in HCP 1687 of 2025 : Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records in connection with the order of detention passed by the 2nd respondent dated 15.7.2025 in B3/D.O.No.59/2025 against the son of the petitioner Madhavan, M/A, 22, son of Venkatesan, who is confined at Central Prison, Puzhal, Chennai and to set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.M.Ramesh Babu

(in all HCPs)

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

(in all HCPs)

COMMON ORDER
(Made by Dr. ANITA SUMANTH, J.)

The petitioners have filed this petition assailing detention orders dated 17.05.2025. The dates of arrest in the three cases are on 17.06.2025 (HCP No.1672/25), 14.06.2025 (HCP No. 1673/25) and 16.06.2025 (HCP No. 1687/25).

2. We have sought from Mr.Muniyapparaj the justification for the delay at the end of the sponsoring authority, to have intimated the detaining authority about the need for detention. No reply or justification is forthcoming.

3. The records produced also do not contain any material that



would even explain, let alone justify the gap of one month between date of arrest and the passing of the detention order. The Supreme Court in the case of *Sushanta Kumar Banik Vs. State of Tripura*, reported in '2022 LiveLaw (SC) 813', has held as follows:-

“20. It is manifestly clear from a conspectus of the above decisions of this Court, that the underlying principle is that if there is unreasonable delay between the date of the order of detention & actual arrest of the detenu and in the same manner from the date of the proposal and passing of the order of detention, such delay unless satisfactorily explained throws a considerable doubt on the genuineness of the requisite subjective satisfaction of the detaining authority in passing the detention order and consequently render the detention order bad and invalid because the “live and proximate link” between the grounds of detention and the purpose of detention is snapped in arresting the detenu. A question whether the delay is unreasonable and stands unexplained depends on the facts and circumstances of each case.”

4. In light of there being no justification having made out for the delay, the live and proximate link between the arrest and the detention, has snapped in the instant cases as well and the detention orders are liable to be quashed.

5. In light of the above, this Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in B3/D.O.No.61/2025, B3/D.O.No.58/2025 & B3/D.O.No.59/2025 dated 15.07.2025, respectively are set aside.

6. The detenus, viz., (i) Prabhu, S/o. Raman, aged 29 years, (ii) Duraimurugan, S/o. Perumal, aged 25 years, and (iii) Madhavan,



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S/o.Venkatesan, aged 22 years, who are now confined in Central Prison

II, Puzhal, Chennai, are hereby directed to be set at liberty forthwith

unless their presence is required in connection with any other cases.

[A.S.M, J.] [S.M, J.]
13.03.2026

Index:Yes/No

Neutral Citation:Yes

ssm

Note to Registry : Issue Today

To

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The District Collector and District Magistrate,
Ranipet District, Ranipet.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai – 66.
- 4.The Superintendent of Police,
Ranipet District, Ranipet.
- 5.The Inspector of Police,
Sholinghur Police Station,
Ranipet District.
- 6.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 7.The Public Prosecutor,



High Court, Madras.



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