



WEB COPY

H.C.P.Nos.2060 & 2134 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2026

CORAM :

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

H.C.P.Nos.2060 & 2134 of 2025

HCP No. 2060 of 2025

Sumitra F/A 43,
W/o. Govindaraj,
No.94, 4th Floor, G-Block,
K.P.Park, Pulianthope,
Chennai.

.. Petitioner

VS

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police
Greater Chennai, Chennai - 07.

3.The Inspector of Police,
F1, Chindrapet Police Station,
Chennai.

4.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.

.. Respondents

Prayer in HCP No.2060/25 : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records pertaining to the Memo No.573/BCDFGISSSV/2025



H.C.P.Nos.2060 & 2134 of 2025

dated 21.08.2025 on the file of the 2nd respondent herein to produce the petitioner's son Illavarasan @ Sibi, son of Govindaraj, aged 22 years, now confined in the Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

HCP No. 2134 of 2025

Kanimozhi, F/A 26,
W/o.Santhosh Kumar @ Vellai Santhosh,
No.94, 4th Floor, G-Block,
K.P.Park, Pulianthope,
Chennai.

.. Petitioner

VS

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police
Greater Chennai, Chennai - 07.

3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.

4.The Inspector of Police,
F1, Chindrapet Police Station,
Chennai.

.. Respondents

Prayer in HCP No.2134/25 : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records pertaining to the Memo No.572/BBCDEFGISSV/2025 dated 21.08.2025 on the file of the 2nd respondent herein to produce the petitioner's husband Santhosh Kumar @ Vellai Santhosh, son of Jayakumar, aged 26 years, now now confined in the Central Prison, Puzhal, Chennai, before this Court and set him at liberty.



H.C.P.Nos.2060 & 2134 of 2025

(In both)

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

COMMON ORDER

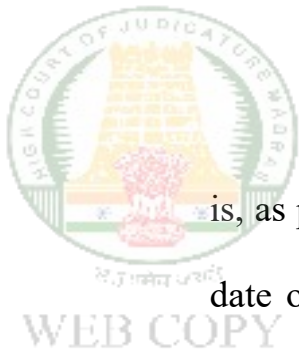
(Made by Dr. ANITA SUMANTH, J.)

A common order is passed in the present habeas corpus petitions, Ilavarasan @ Sibi (detenu in HCP No. 2060/25) and Santhoshkumar @ Vellai Santhosh (detenu in HCP No. 2134/25) are both confined in Central Prison, Puzhal and their relatives, challenge orders of detention, both dated 21.08.2025, branding them as 'Goonda' under Act 14/1982.

2. Learned counsel for the petitioner would argue that the orders are vitiated on several grounds and assails them mainly on the delay between date of arrest and date of order of detention, and the fact that the Special Report which forms one of the important documents on the basis of which the order of detention has been passed, has not even been dated.

3. Learned Additional Public Prosecutor, for his part, would vehemently defend the impugned orders of detention pointing out that the offences charged as against the detenus are grave in nature.

4. We have heard both learned counsel. The order of arrest in this case is 21.07.2025 and the order of detention is dated 21.08.2025. There



H.C.P.Nos.2060 & 2134 of 2025

is, as pointed out by petitioner, a yawning gap between date of arrest and date of detention which has not been explained, let alone, satisfactorily explained, by the detaining authority.

5. That apart, we find that the Special Report which is one of the documents on the basis of which the order of detention has been passed by the detaining authority, is not even dated. This is yet another reason for us to come to the conclusion that the basis of the grounds of detention has not been satisfactorily explained.

6. In light of the aforesaid discussion, this Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in Nos.573 & 572/BBCDEFGISSSV/2025, dated 21.08.2025 is set aside.

7. The detenus, viz., Ilavarasan @ Sibi, S/o. Govindaraj, aged 22 years (HCP No. 2060/25), Santhoshkumar @ Vellai Santhosh, S/o. Jayakumar, aged 26 years (HCP No. 2134/25) who are now confined in Central Prison, Puzhal, Chennai, are hereby directed to be set at liberty forthwith unless their presence is required in connection with any other case.

[A.S.M, J.] [S.M, J.]
16.04.2026

Neutral Citation: Yes

ssm

Note : Issue Today

To

4/6



H.C.P.Nos.2060 & 2134 of 2025

- 1.The Secretary to Government,
Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of Police
Greater Chennai, Chennai - 07.
- 3.The Inspector of Police,
F1, Chindrapet Police Station,
Chennai.
- 4.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



WEB COPY



H.C.P.Nos.2060 & 2134 of 2025

DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

ssm

H.C.P.Nos. 2060 & 2134 of 2025

16.04.2026