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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2019 of 2025

Guruvuthai. S (F/aged 27 yrs)
W/o. Arun,
No.35/10, Ezhil Nagar, Oggiam,
Thuraipakkam,
Tamilnadu-600097.

..Petitioner(s)

Vs

1. Government of Tamilnadu
Rep. By its, Addl. Chief Secretary to Govt.,
Home, Prohibition and Excise Department,
Chennai-600009.
- 2.The Commissioner of Police,
Tambaram City, Tambaram.
- 3.The Inspector of Police,
Kannagi Nagar Police Station,
Kannagi Nagar, Chennai.
- 4.The Superintendent of Police,
Central Prison Puzhal,
Puzhal.

..Respondent(s)

Prayer: Petition filed under Article 226 of Constitution of India for issuance of writ of Habeas Corpus to call for the entire records culminating in the Passing of the order of detention the petitioner's Husband of the detenu under Act 1982 as Drug Offender vide detention order in BBCDEFGISSV NO.99/2025 dated 14.08.2025 on the file of the 2nd respondent herein and quash the same as direct



and person of the detenu by name Arun, male, Age 34, Son of Soundarpandian, before this Hon'ble court and set him at liberty. The detention now contained at Central Prison, Puzhal.

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For Petitioner(s): Mr.Vinoth Kumar
for Mr.A.Vijayasankar

For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted By
Mr.M.Sylvester John

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

Challenging the order of detention dated 14.08.2025, this HCP has been filed by the wife of the detenu, who was branded as Drug Offender under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (in short 'Act').

2. Learned counsel for the petitioner points out to various infirmities in the impugned order of detention emphasising on the fact that the Special Report of the Inspector of Police is undated.

3. We have heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

4. The detenu was arrested on 17.07.2025 and the order of detention has been passed on 14.08.2025. Upon perusal of the booklet, we find that the Special Report is not even dated. The Special Report is an important document on the basis of which the Detaining Authority proceeds to pass the order of detention.



5. The order of detention must be based on cogent and authenticated material to enable the authority to form subjective satisfaction that the order of detention is necessitated.

6. Hence, we are of the considered view that an undated Special Report would not serve as cogent material, sufficient to sustain an order of preventive detention.

7. Since the Special Report in this case is, admittedly, undated, and has been relied upon by the Detaining Authority, as a sequitur, the impugned order of detention is liable to be quashed.

8. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in BBCDEFGISSSV No.99/2025, dated 14.08.2025 is set aside.

9. The detenu, viz., S.Arun, S/o. Soundara Pandian, aged 34 years, who is 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.)
24-03-2026

sl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry : Issue Today



To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Chennai-600009.
2. The Commissioner of Police,
Tambaram City, Tambaram.
3. The Inspector of Police,
Kannagi Nagar Police Station,
Kannagi Nagar, Chennai.
4. The Superintendent of Police,
Central Prison Puzhal,
Puzhal.
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.

sl

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