



WEB COPY

HCP No. 1997 of 2025

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. 1997 of 2025

Nasirin Banu

..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,
The Greater Chennai City,
Vepery,
Chennai-600 007.

3.The Superintendent Of Prison,
Central Prison,
Puzhal, Chennai-600 066.

4.The Inspector Of Police,
N-3, Muthialpet Police Station,
Chennai.

..Respondent(s)

Prayer: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other appropriate Writ, calling for the records relating to the detention



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order in Memo No.601/BBCDEFGISSSV/2025 dated 26.08.2025 passed by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioners husband SYED IBRAHIM S/O.KADABAVA BHURUDEEN aged about 50 years the detenu, now confined in Central Prison, Puzhal, Chennai before this court and set him at liberty

For Petitioner(s): Mr.M.Mohamed Saifulla
for Mr.D.Gopi Krishnan

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

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu-Syed Ibrahim, branded as 'Drug Offender' under Section 2(e) of the Tamil Nadu Act 14 of 1982, has filed this petition challenging the detention order dated 26.08.2025.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



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3. In paragraph No.3 of the grounds of detention, the detaining authority had observed that the detenu has not moved any bail application and that the relatives of the detenu are taking steps to file a bail application. However, the said observation of the detaining authority is based on an undated report of the sponsoring authority and an undated statement of a relative purported to be recorded under Section 180(3) of the BNSS.

4. It is well settled that in the absence of any date in the said statement of the relative, the detaining authority's satisfaction that there is a real possibility of the detenue coming out on bail, is vitiated. Therefore, for the above reason, we are inclined to quash the detention order.

5. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Memo No.601/BBCDEFGISSSV/2025 dated 26.08.2025 is set aside.

6. The detenu, viz., Syed Ibrahim S/o. Kadabava Bhurudeen, aged 50 years, now confined in Central Prison, Puzhal, Chennai, is directed to



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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

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

ars

To

1. The Additional Chief Secretary to Government,
Home, Prohibition And Excise Department,
Fort St.George,
Chennai-600 009.

2. The Commissioner Of Police,
The Greater Chennai City,
Vepery,
Chennai-600 007.

3. The Superintendent Of Prison,
Central Prison,
Puzhal, Chennai-600 066.

4. The Inspector Of Police,
N-3, Muthialpet Police Station,
Chennai.

5. The Public Prosecutor,
High Court, Madras.



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

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