



H.C.P.No.2022 of 2025

Habeas Corpus Petition filed under Section 226 of the Constitution of India to issue a Writ of Habeas Corpus calling for the entire records connected with the order of the second respondent herein in BCDFGISSSV No.21/2025 dated 28.03.2025 passed against the petitioner's friend detenu viz. K.Imraan Khan, S/o.Kareem, aged about 39 years, who is confined at the Central Prison, Puzhal, Chennai-600 066 and set aside the same, consequently, direct the respondents herein to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.R.Saritha

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

ORDER

(made by P.VELMURUGAN, J.)

This habeas corpus petition has been filed calling for the entire records connected with the order of the second respondent herein in BCDFGISSSV No.21/2025 dated 28.03.2025 passed against the petitioner's friend detenu viz. K.Imraan Khan, S/o.Kareem, aged about 39 years, who is confined at the Central Prison, Puzhal, Chennai-600 066 and set aside the same, consequently, direct the respondents herein to produce the detenu before this Court and set him at liberty.



2. The learned Additional Public Prosecutor would submit that the detenu herein is involved in several cases similar in nature and he is a habitual offender. He would further submit that there are four adverse cases pending against the detenu, which are similar in nature and in order to maintain law and order, the detenu has been detained under Act 14.

3. Though the learned counsel for the petitioner took several grounds to quash the impugned order of detention, he focused mainly on the ground that no bail application was filed by the detenu and there was no likelihood of his release on bail, however, the detaining authority, passed the detention order by referring to a bail order dated 02.01.2024 made in CrI.M.P.No.23 of 2024, which has no similarity.

4. Admittedly, in the said case, bail has been granted to the petitioner therein, under Section 167(2) of Cr.P.C., which is a mandatory bail, since the investigating officer had not filed the charge sheet within the statutory period. Therefore, the same cannot be relied on for the case of the detenu.



H.C.P.No.2022 of 2025

5. Therefore, the order of detention dated 28.03.2025, passed by the second respondent herein in proceedings BCDFGISSSV No.21/2025 against the petitioner's friend, viz. K.Imraan Khan, S/o.Kareem, aged about 39 years, is hereby quashed on the ground of non application of mind on the part of the detaining authority, while passing the impugned detention order.

6. The detenu, viz. K.Imraan Khan, S/o.Kareem, aged about 39 years, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

With the above direction, this habeas corpus petition is allowed.

(P.V., J.) (M.J.R., J.)
28.01.2026

nsd



H.C.P.No.2022 of 2025

WEB COPY

- To
- 1.The Additional Chief Secretary to the Government,
Government of Tamil Nadu,
(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.The Inspector of Police,
T-9, Maraimalai Nagar Police Station.
 - 5.The Joint Secretary to Government,
Public (Law and Order),
Fort St.George, Chennai – 9.
 - 6.The Public Prosecutor
Madras High Court, Chennai – 600 104



WEB COPY



H.C.P.No.2022 of 2025

P.VELMURUGAN, J.
and
M.JOTHIRAMAN, J.

nsd

H.C.P.No.2022 of 2025

28.01.2026