



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2199 of 2025

Sanjaykumar
S/o.Devaraj,
No.63/A, Kaakathoppu,
Malamaasi veedhi,
Madurai.

..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept,
Secretariat,
St.George Fort,
Chennai-600 009.
2. Commissioner of Police
Greater Chennai District,
Vepery,
Chennai-600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal-II,
Chennai-600 066.
4. The Inspector of Police,
PEW-Triplicane Unit,
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 writ of direction calling for the records relating to the detention order, BBCDFGISSSV 665/2025 dated 10.09.2025, passed by the 2nd respondent and quash the same and to produce the petitioner Brother Mr.Sathishkumar, S/o.Devaraj, aged about 21 years, the detinue now confined in Central Prison, Puzhal-II, Chennai before this Hon'ble Court and the petitioner brother Mr.Sathishkumar, S/o.Devaraj, aged about 21 years the detinue herein and set him at liberty.

For Petitioner(s): Mr.D.Sugumar

For Respondent(s): Mr. C.R.Malarvannan

Counsel For Government Of Tamil Nadu
(criminal Side)

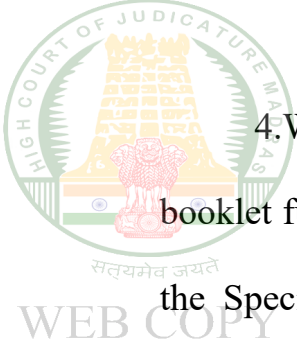
Order

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

One Satheeshkumar, aged 21 years, S/o Devaraj, has suffered an order of detention dated 10.09.2025 and his brother has approached this Court seeking to set aside the detention order.

2.Learned counsel appearing on behalf of the petitioner has raised various grievances as against the impugned order of detention. He also points out that the Special Report that forms an important basis for the grounds of detention, is not even dated.

3.We have heard both learned counsel for the petitioner as well as learned counsel for Government of Tamil Nadu (criminal side) for the respondents.



4. We have perused the Special Report which is placed at page 44 of the booklet furnished. As rightly pointed out, we find the same undated. Insofar as the Special Report is one of the important documents, based on which the decision to detain the petitioner has been taken, the same ought to have been dated, to establish credibility. The absence of even basic details such as a date, vitiates the same.

5. The subjective satisfaction of the detaining authority is hence vitiated on this aspect, and non-application of mind is writ large in the matter.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.665/BBCDEFGISSSV/2025, dated 10.09.2025 is set aside.

7. The detenu, viz., Satheeshkumar, S/o. Devaraj, aged 21 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.)

02-06-2026

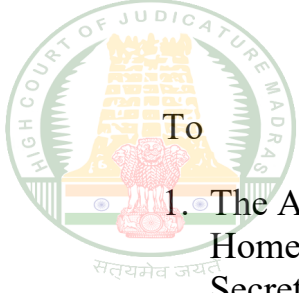
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Index: Yes/No

Speaking order

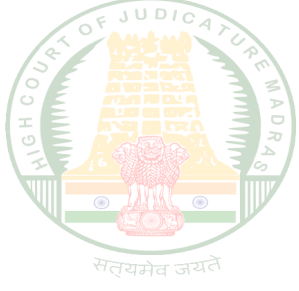
Neutral Citation: Yes

Note to Registry: Issue Today.



To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept,
Secretariat,
St.George Fort,
Chennai-600 009.
2. Commissioner of Police
Greater Chennai District,
Vepery,
Chennai-600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal-II,
Chennai-600 066.
4. The Inspector of Police,
PEW-Triplicane Unit,
Chennai.
5. The Public Prosecutor,
High Court of Madras.
6. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.



WEB COPY



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

HCP No. 2199 of 2025

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