



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP Nos. 2206, 2208, 2210, and 2207 of 2025
and 137 OF 2026

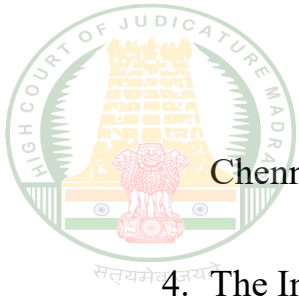
HCP.No.2206 of 2025

Vijaya
W/o.Loganathan,
No. 261, Madha Koil Street,
Perur,
Vada Nemili,
Chengalpattu District.

..Petitioner(s)

Vs

1. State of Tamilnadu
Rep. by The Principal Secretary to Government,
Home, Prohibition and Excise Department,
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,



4. The Inspector of Police
T-20, Kanathur Police Station,
Chennai District.

..Respondent(s)

HCP No. 2208 of 2025

Sandhiya
W/o.Ramesh,
No.100, Perumal Kovil Street, Sathirai,
Pudhumavilangai,
Thiruvallur District

..Petitioner(s)

Vs

1. State of Tamilnadu rep by the Principal Secretary
to Government
Home, Prohibition and Excise ,
Department,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.
4. The Inspector of Police
T-20, Kanathur Police Station,
Chennai District.

..Respondent(s)



HCP No. 2210 of 2025

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Nasarin Nisha
W/o.Sainsha,
No.1/248-A, Rajiv Gandhi 1st Street,
Muttukadu,
Chennai-600 112.

..Petitioner(s)

Vs

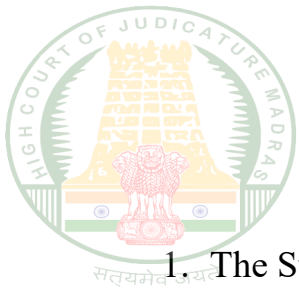
1. State of Tamil Nadu rep by the Principal
Secretary to Government
Home, Prohibition and Excise Department, Fort
St.George, Chennai-600 009
2. The Commissioner of Police
Tambaram City,
Office of the Commissioner of Police,
Sholinganallur,
Chennai-600 119.
3. The Superintendent of Prison
Central Prison,
Puzhal, Chennai.
4. The Inspector of Police
T-20, Kanathur Police station,
Chennai District.

..Respondent(s)

HCP No. 2207 of 2025

Abithabee
W/o.Akbar,
No.1/154-B, Hajiyyar Street,
Muttukadu,
Chennai-600 112.

..Petitioner(s)



Vs

1. The State Of Tamilnadu Rep.By,the Principal Secretary To Government,
Home, Prohibition and Excise Department,
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.
4. The Inspector Of Police,
T-20, Kanathur Police Station,
Chennai District.

..Respondent(s)

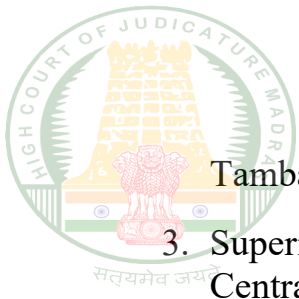
HCP No. 137 of 2026

Dhaveedhu
S/o.Samipillai,
No. 5/247, Chinnamman Koil Street,
Madapuram,
Thaiyur,
Chengalpattu District.

..Petitioner(s)

Vs

1. State of Tamilnadu, Represented by The
Additional Chief Secretary to Government
Department of Home, Prohibition and Excise,
Secretariat,
Fort St.George,
Chennai.
2. The Commissioner of Police



Tambaram City.

3. Superintendent of Prison
Central Prison -Puzhal -II,
Puzhal,
Chennai.

4. Inspector of Police
T-20 Kanathur Police Station,
Chennai.

..Respondent(s)

Prayer in HCP No. 2206 of 2025: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of Writ of Habeas Corpus to call for the records relating to the Detention order vide BBCDEFGISSSV No. 93/2025 dt. 13.08.2025 passed by the 2nd respondent and quash the same and direct the respondents herein to produce the petitioner's son namely L.Premkumar, S/o. Loganathan aged 27 years (who is presently under going detention in the Central Prison, Puzhal), before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 2208 of 2025: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a writ order or direction in the nature of Habeas Corpus to call for the records relating to the detention order vide BBCDEFGISSSV No.90/2025 dated 13.08.2025 passed by the second respondent and quash the same and direct the respondent herein to produce the petitioner's son namely R.Balaji, S/o.Ramesh aged 23 years, (who is presently under going detention in the Central Prison, Puzhal), before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 2210 of 2025: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a writ order or direction in the nature of a habeas Corpus to call for the records relating to the detention order vide BBCDEFGISSSV No.91/2025 dated 13.08.2025 passed by the second respondent and quash the same and direct the respondent herein to produce the



petitioner son namely S.Ashik, S/o.Sainsha, aged 23 years who is presently under going detention in the Central Prison, Puzhal, before this Hon,ble Court and set him at liberty.

Prayer in HCP No. 2207 of 2025: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a Writ, order or direction in the nature of a Habeas Corpus to call for the records relating to the Detention Order vide BBCDEFGISSSV No.92/2025 dated 13.08.2025, passed by the Second Respondent and quash the same and direct the respondents herein to produce the petitioner's son namely A.Shaninsha, S/o.Akbar, aged 25 years, (who is presently under going detention in the Central Prison, Puzhal), before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 137 of 2026: Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a writ of Habeas Corpus to call for the records in No. 109/BBCDEFGISSSV/2025 passed by the 2nd respondent on 31.08.2025 on the file of the 2nd respondent and quash the same as illegal and consequently direct the respondent to produce the petitioner son D.Sagayaraj, S/o. Dhavedhu, aged about 24 years before this Honble Court, who now detained in Central Prison, Puzhal-II, Chennai and set him liberty and pass such other orders as this Hon'ble Court.

For Petitioner(s): Mr. M. Mohamed Saifulla
For Ms.S.Kalaimani
(HCP Nos. 2206, 2208, 2210 & 2207/2025)
For Mr.A.Elumalai (HCP No. 137/26)

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



COMMON ORDER

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

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Detention orders, all dated 13.08.2025, relate to L.Premkumar, S/o.Loganathan (HCP No. 2206/25), R.Balaji, S/o. Ramesh (HCP No. 2208/25), S.Ashik, S/o. Sainsha (HCP No. 2210/25) and A.Shaninsha, S/o. Akbar (HCP No. 2207/25). Detention order dated 31.08.2025 relates to D.Sagayaraj, S/o. Dhaveddhu (HCP No. 137/26). All the aforesaid individuals have been detained as 'Goondas' under Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982). Their relatives have approached this Court challenging the orders of detention.

2. The common point put forth by Mr.Mohamed Saifulla, learned counsel appearing for the petitioners, is that the subjective satisfaction recorded by the detaining authority to the effect that detenus might be enlarged on bail, has no basis.

3. Mr.Muniyapparaj, learned Additional Public Prosecutor, for his part, would defend the orders of detention.

4. On a perusal of the impugned orders, we find that one of the grounds taken by the sponsoring authority, that has been reiterated by the detaining authority is that the relatives of the detenus are taking steps to enlarge them on bail by filing bail applications.

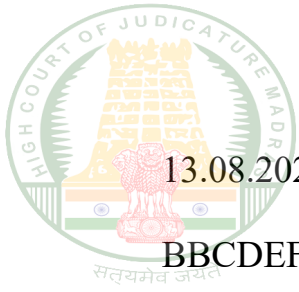


5. We have sought from the learned Additional Public Prosecutor the available material to support such a subjective satisfaction and find no such material on record. We have also perused the booklets filed and do not find any statements recorded from the relatives to support his apprehension. Hence, and in the absence of any material including statements, the subjective satisfaction of the authorities that the detenus would be enlarged on bail has no basis whatsoever.

6. That apart, the Special Report of the police authorities which is placed at page nos. 97 and 98 of Vol I of the booklet is undated. It is unknown as to, on what date the Report was generated, and on what date it was transmitted to the authorities.

7. The Supreme Court in the case of '*Sushanta Kumar Banik Vs. State of Tripura*', [2022 LiveLaw (SC) 813] has reiterated the necessity for a proximate link between all stages of the investigation leading to the detention, to establish the justification for the detention. In the present case, the non-dating of the Special Report, that is one of the important basis for the order of detention, would cast a cloud on the link between the Special Report and the detention, also vitiating the impugned order.

8. For the aforesaid reasons, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in BBCDEFGISSV No.93/2025, dated 13.08.2025, BBCDEFGISSV No.90/2025, dated



13.08.2025, BBCDEFGISSSV No.91/2025, dated 13.08.2025,
BBCDEFGISSSV No.92/2025, dated 13.08.2025 and BBCDEFGISSSV
No.109/2025, dated 31.08.2025 are set aside.

9. The detenus, viz., L.Premkumar, S/o.Loganathan, R.Balaji, S/o.Ramesh, S.Ashik, S/o.Sainsha and A.Shaninsha, S/o.Akbar, confined in Central Prison, Puzhal, Chennai, and D.Sagayaraj, S/o.Dhaveedhu, who is now confined in Central Prison - Puzhal -II, 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.)
21-04-2026

Index: Yes/No

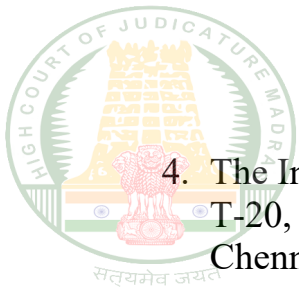
Neutral Citation: Yes

ssm

Note to Registry: Issue Today.

To

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
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.



4. The Inspector of Police
T-20, Kanathur Police Station,
Chennai District.

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5. The Additional Chief Secretary to Government
Department of Home, Prohibition and Excise,
Secretariat,
Fort St.George,
Chennai.
6. The Superintendent of Prison
Central Prison -Puzhal -II,
Puzhal,
Chennai.
7. The Public Prosecutor,
High Court, Madras.
8. The Joint Secretary to Government
Public (Law and Order),
Secretariat, Fort St.George,
Chennai - 9



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HCP Nos. 2206, 2208, 2210 and 2207 of 2025 and 137 of 2



DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

ssm

HCP Nos. 2206, 2208, 2210, and 2207 of 2025
and 137 OF 2026

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