



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2435 of 2025

Vijay
S/o.Selvaraj,
No. 34, Masthan Kovil Street,
Royapuram,
Chennai- 600 013.

..Petitioner(s)

Vs

1. State Represented by its
Home Secretary to the Govt. of Tamilnadu,
Home, Prohibition and Excise Department,
Fort St. George, Chennai- 600 009.
2. The Commissioner of Police
Greater Chennai,
Chennai 600 007.
3. The inspector of Police
G-7, Chetpet Police Station,
Chennai.
4. The Superintendent of Prison
Central Prison,
Puzhal.

..Respondent(s)

**Prayer:**

Habeas Corpus petition filed under article 226 of Constitution of India for issuance of a Writ of Habeas Corpus and call for the records in relating to the order of detention passed by the 2nd respondent dt. 25.08.2025 in No. 595/BBCDEFGISSSV/2025 against the petitioner's brother, Suriya, the Detenue, Male, aged 26 years, S/o.Samikannu, who is confined at Central Prision, Puzhal and set aside the same and direct the respondents to produce the detenue before this Hon'ble Court and set him at liberty.

For Petitioner(s): Mr.V.Vasanth

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

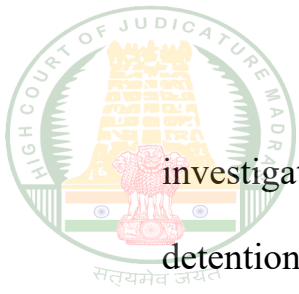
Order

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

The relative of Suriya, S/o Samikannu, who has detained as a Goonda has instituted this petition challenging an order of detention dated 25.08.2025.

2.We have heard the detailed submissions of Mr.V.Vasanth, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for the respondents.

3.We are of the considered view that the petitioner must succeed. The booklet supplied to the detenu and the Court contains, at page 101, the Special Report of the authorities, which is undated. 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.

4. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.595/BBCDEFGISSSV/2025, dated 25.08.2025, is set aside.

5. The detenu, viz., Suriya, S/o. Samikannu, aged 26 years, 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.)

21-04-2026

vs

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry : Issue Today.

To

1. The Home Secretary to the Govt. of Tamilnadu,
Home, Prohibition and Excise Department,
Fort St. George, Chennai- 600 009.
2. The Commissioner of Police
Greater Chennai,
Chennai 600 007.



3. The inspector of Police
G-7, Chetpet Police Station,
Chennai.
4. The Superintendent of Prison
Central Prison,
Puzhal.
5. The Public Prosecutor,
High Court of Madras.
6. The Joint Secretary to Government,
Public (Law and Order), Fort St.George, Chennai-9.

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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

VS

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