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H.C.P. No.2413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.02.2026

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P. No.2413 of 2025

K.Kannika

.. Petitioner

Vs.

1. The Additional Chief Secretary to Government
Home, Prohibition & Excise Department
Secretariat
Fort. St. George
Chennai – 600 009

2. The Commissioner of Police
Office of the Commissioner of Police
Chennai

3. The Superintendent of Police
Central Prison
Puzhal, Chennai

4. The Inspector of Police
P3 Vyasarpadi Police Station
Chennai

.. Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, call for records pertaining to the order of detention passed by the second respondent in his proceedings No.523/BBCDEFGISSSV/2025, dated 31.07.2025 and quash the same as illegal and produce the detenu namely Prakash,

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S/o.Kamalakannan, aged 26 years GOONDA, now he is confined in Central Prison, Puzhal-II, Chennai before this Court and set him at liberty.

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For Petitioner : Mr.C.Raja
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

(The Order of the Court was made by P.Velmurugan, J)

This Habeas Corpus Petition has been filed to quash the order of detention passed by the second respondent in his proceedings No.523/BBCDEFGISSSV/2025, dated 31.07.2025 and produce the detenu namely Prakash, S/o.Kamalakannan, aged 26 years, now confined in Central Prison, Puzhal-II, Chennai, before this Court and set him at liberty.

2. Though the learned counsel for the petitioner took several grounds to quash the impugned order of detention, he focused mainly on the ground that the confession statement of A2 in Page No.39 of the Booklet in Volume-I supplied to the detenu, does not contain the signatures of the witnesses and that the same was not recorded in the presence of any witnesses. Further, Page No.45 of the Booklet in Volume-I and Page No.15 of the Booklet in Volume-II are not legible and readable and thereby, the detenu was deprived of a fair representation.



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3. A perusal of records shows that the confession statement of A2, supplied to the detenu in Page No.39 of the Booklet in Volume-I, does not contain the signatures of the witnesses and further, some of the pages in the Booklet supplied to the detenu are not legible and thereby the detenu has been deprived of a fair representation. Hence, this Court is inclined to quash the detention order.

4. Accordingly, the order of detention passed by the second respondent in his proceedings No.523/BBCDEFGISSSV/2025, dated 31.07.2025 against the detenu namely Prakash, S/o.Kamalakannan, aged 26 years, is hereby quashed.

5. The detenu namely Prakash, S/o.Kamalakannan, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

6. With the above direction, this Habeas Corpus Petition is allowed.

(P.V., J) (M.J.R., J)
25.02.2026

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Neutral Citation: Yes/No



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To

1. The Additional Chief Secretary to Government
Home, Prohibition & Excise Department
Secretariat
Fort. St. George
Chennai – 600 009
2. The Commissioner of Police
Office of the Commissioner of Police
Chennai
3. The Superintendent of Police
Central Prison
Puzhal, Chennai
4. The Inspector of Police
P3 Vyasarpadi Police Station
Chennai
5. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

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