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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP Nos. 2559 and 2462 of 2025

K.Kalaivani
W/O Babu,
No.2/238, Rajendra Prasad Street,
Medavakkam,
Tambaram,
Chennai - 600100.

..Petitioner in
HCP.No.2559 of 2025

S.Deeraj Rani
W/o.Vetriselvan,
No.8A, Egambaram Street,
Edappalayam, Manali,
Thiruvallur-600 068.

..Petitioner in
HCP.No.2462 of 2025

Vs

1. The State of Tamil Nadu

Represented by its Secretary,
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 - 600119.

3. The Superintendent of Prison,

Central Prison Puzhal,
Chennai.



4. The Inspector Of Police
Shankar Nagar Police Station,
Chennai.

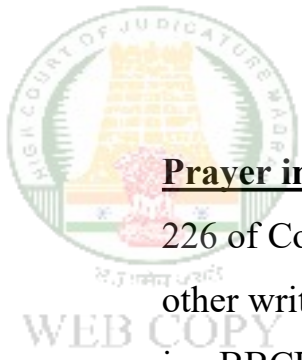
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..Respondents in
HCP.No.2559 of 2025

1. The State Of Tamilnadu
Represented By Its Secretary,
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-600 119.
3. The Inspector of Police,
Shankar Nagar Police Station,
Chennai.
4. The Superintendent Of Prison,
Central Prison Puzhal,
Chennai.

..Respondents in
HCP.No.2462 of 2025

Prayer in HCP.No.2559 of 2025: 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 to calling for the records pertaining to the detention order in BBCDEFGISSSV No.125/2025, dated 26.09.2025 against petitioner's Husband K.Babu @ Kakka Karthik, age 32 years, S/o.Khadar Basha, passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondent to produce the petitioner's husband K.Babu @ Kakka Karthik, age 32 years, S/o. Khadar Basha the detenu, now confined in Central Prison, Puzhal, Chennai before this Honourable Court and set the petitioner's husband K.Babu @ Kakka Karthik age 32 years, S/o.Khadar Basha the detenu herein at liberty.



Prayer in HCP.No.2462 of 2025: 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 to calling for the records pertaining to the detention order in BBCDEFGISSSV No.128/2025, dated 27.09.2025 against petitioner's Husband G.Vetriselvan, aged 25 years, S/o.Govindan, passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondent to produce the petitioner's Husband G.Vetriselvan, aged 25 years, S/o.Govindan, the detenu, now confined in Central Prison, Puzhal, Chennai before this Hon'ble Court and set the petitioner's husband G.Vetriselvan, aged 25 years, S/o.Govindan the detenu herein at liberty.

In both HCP's

For Petitioner(s): Mr.R.Chakkaravarthy

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.)

A common order is passed in these two matters, as the detenu are co-accused in Cr.No.440 of 2025.

2. We have heard Mr.R.Chakkaravarthy, learned counsel for the petitioner and Mr.Muniyapparaj, learned Additional Public Prosecutor assisted by Mr.Sylvester John, learned counsel for the respondents in both the cases.



3. In HCP.No.2559 of 2025, the challenge is to an order of detention dated 26.09.2025, whereunder the detenu K.Babu @ Kakka Karthik, male aged 32 years, S/o.Khadar Basha, has been branded as a Goonda in terms of Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Tamil Nadu Act 14 of 1982) (in short 'Act').

4. In HCP.No.2462 of 2025, the challenge is to an order of detention dated 27.09.2025, whereunder the detenu G.Vetriselvan, male aged 25 years, S/o.Govindan, has been branded as a Goonda in terms of Section 2(f) of the Act.

5. Learned counsel for the petitioner would assail the impugned orders of detention on the ground that proper procedure has not been followed prior to passing of the same. He would specifically argue that the special reports, on the basis of which the impugned orders have been passed, are not even dated.

6. A copy of the grounds of detention and annexures provided to the detenu have been placed before us by way of booklets and we find at page Nos.167 (HCP No.2559 of 2025) and 155 (HCP No.2462 of 2025), that are special reports of the Inspector of Police do not contain any date.

7. In such circumstances and since the special report a vital document upon which the order of detention is based, we find that the subjective satisfaction of the detaining officer is vitiated.



8. In light of the aforesaid discussion, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in BBCDEFGISSSV No.125/2025 dated 26.09.2025 and BBCDEFGISSSV No.128/2025 dated 27.09.2025 are set aside.

9. The detenus, viz., K.Babu @ Kakka Karthik, S/o.Khadar Basha, male aged 32 years, and G.Vetriselvan, S/o.Govindan, male aged 25 years, who are now confined in Central Prison, Puzhal, Chennai, are 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.)

24-03-2026

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Index: Yes/No

Speaking order

Neutral Citation: Yes

To

1. The State of Tamil Nadu Represented by its Secretary,
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 - 600119.
3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai.



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HCP Nos. 2559 and 2462 of 2



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

4. The Inspector Of Police
Shankar Nagar Police Station,
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.

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