



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2479 of 2025

R.Subbulakshmi
W/o.Ravi,
No.16, Mettu Street,
Naravarai Kuppam,
Redhills,
Chennai-600 052.

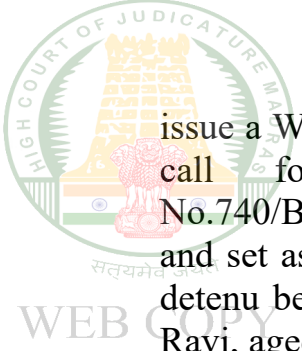
..Petitioner(s)

Vs

1. State of Tamilnadu rep.by its Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
O/o. Commissioner of Police,
(Goondas section),
Vepery,
Chennai-600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600 066.
4. The Inspector of Police,
Law and Order,
P-5, M.K.B.Nagar Police Station,
Chennai.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to



issue a WRIT order or direction in the nature of WRIT OF HABEAS CORPUS call for the records of the detention order made in No.740/BBCDEFGISSSV/2025 dated 29.09.2025 the 2nd respondent herein and set aside the same and consequently direct the respondents to produce the detenu before this Hon'ble Court and set the detenu Thiru.R.Dillibabu, son of Ravi, aged about 22 years now confined at Central Prison, Puzhal at liberty.

For Petitioner(s): Mr.N.Sudharsan

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.)

The mother of the detenu - Dillibabu, S/o.Ravi, branded as Goonda and confined in Central Prison, Puzhal, Chennai under detention order dated 29.09.2025 has challenged the order of detention in this HCP.

2. We have heard Mr.N.Sudharsan, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (criminal side) for the respondents.

3.The detention order was assailed on various grounds, including the ground that the detaining authority has, in the grounds of detention, expressed his apprehension that the detenu would may be enlarged on bail by filing a bail application. For this purpose, he relies on the statement of the petitioner on the basis of which he apprehends the grant of bail.

4.We have perused the statement avowedly executed by the petitioner



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which is placed at page 73 of volume I of booklet. This is an unsigned statement under Section 180(3) of BNSS and hence it is uncertain as to whether at all the statement has been executed by the petitioner, and that too, in reference to the subject case.

5. We have been repeatedly expressing the opinion that, if at all a detaining authority is to rely on the statement of a relative, for his subjective satisfaction that the detenu may be enlarged on bail, it is necessary that such statement must be signed. In the absence of a signature of the person from whom the statement is recorded, we give no credence to the statement and hence, and, as a sequitur, disavow the subjective satisfaction of the authority in that regard.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.740/BBCDEFGISSSV/2025, dated 09.09.2025, is set aside.

7. The detenu, viz., Dillibabu, S/o.Ravi, aged 22 years, 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.)
05-06-2026

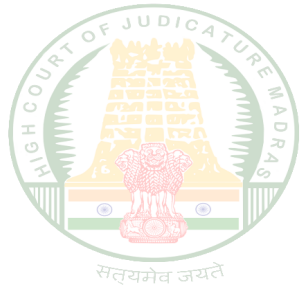
Neutral Citation: Yes
SSM

Note to Registry : Issue Today



To

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Secretariat, Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
O/o. Commissioner of Police,
(Goondas section),
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Chennai-600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600 066.
4. The Inspector of Police,
Law and Order,
P-5, M.K.B.Nagar Police Station,
Chennai.
5. The Joint Secretary to Government
Public (Law and Order),
Secretariat, Fort St.George,
Chennai – 9.
6. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

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