



HCP No. 2197 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2197 of 2025

Ranjitha
W/o.Sridhar,
No.737, Gandhi Nagar,
Erikarai, Solinganallur,
Kancheepuram District.

..Petitioner(s)

Vs

1. The Principal Secretary To Government,
Home Prohibition and Excise Department,
Secretariat, 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 District.
4. The Inspector Of Police,
T-16, Semmanchery Police Station,
Chennai.

..Respondent(s)



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records pertaining to the petitioner's husband detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 31.08.2025 on the file of the second respondent herein made in proceedings BBCDEFGISSSV No.110/2025, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's husband namely Sridhar, S/o.Rajalingam, aged about 26 Years, before this Court and set the petitioner's husband at liberty from detention, now the petitioner's husband detained at Central Prison, Puzhal, Chennai.

For Petitioner(s): Mr. D. Akash Kumar
for Mr.W.Camyles Gandhi

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

Order

(Order of the Court was made by Sunder Mohan J.)

The wife of detenu - R.Sridhar, S/o. Rajalingam, has filed this petition challenging detention order dated 31.08.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



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2. We have heard learned counsel for petitioner and learned Additional Public Prosecutor for respondents.

3. We find on perusal of the record and on hearing the submissions on either side that the impugned order cannot be sustained since the special report sent by the sponsoring authority is undated. The detention order has been passed on the report of the sponsoring authority. The compelling necessity to detain the detenu would depend on the date on which the sponsoring authority has sent his report. In the absence of the said date, the special report would become irrelevant and the compelling necessity to detain the detenu becomes doubtful.

4. Further in '*Rekha Vs. State of Tamil Nadu through Secretary to Government and another*' reported in '*2011 [5] SCC 244*', the Hon'ble Supreme Court had held that where the detention order is passed on any irrelevant material, then, the detention order is liable to be quashed. Therefore, we are of the view that for the aforesaid reason the impugned detention order is liable to be set aside.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in BBCDEFGISSSV No.110/2025, dated 31.08.2025 is set aside.



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6. The detenu, viz., R.Sridhar, S/o. Rajalingam, aged 26 years, who is now confined in Central Prison, Puzhal, Chennai, is hereby 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.)
20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssm/ars

To

1. The Principal Secretary To Government,
Home Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai-600 009.
2. The Commissioner Of Police,
Tambaram City,
Office of the Commissioner of Police,
Sholinganallur, Chennai-600 119.
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4. The Inspector Of Police,
T-16, Semmanchery Police Station,
Chennai.
5. The Public Prosecutor,
High Court, Madras.



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**DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.**

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