



HCP No. 2498 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-03-2026**

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**HCP No. 2498 of 2025**

P.Jebarani, Age 52 Yrs

..Petitioner

Vs

1. The State Rep. by its  
The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Government of Tamilnadu,  
Fort St.George,  
Chennai - 600 009.
2. The Commissioner of Police,  
Greater Chennai,  
Office of the Commissioner of Police  
(Goondas Section), Vepery,  
Chennai - 600 007.
3. The State Rep. by  
The Superintendent of Police,  
Central Prison,  
Puzhal, Chennai - 600 066.
4. The State Rep. by the Inspector of Police,  
D-1 Triplicane Police Station,  
Chennai - 600 002.

..Respondents



HCP No. 2498 of 2025

WEB COPY

Prayer : Habeas Corpus Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus or any other writ or a direction, calling for the records of pertaining to the order of detention dated 21.08.2025 passed by the 2nd respondent bearing memo No.578/BBCDEFGISSSV/2025 and to quash the same and produce the detenu namely Thiru.P.Abishek, aged about 27 years, S/o.D.Paulraj, before this Court and set him at liberty forthwith from Central Prison, Puzhal, Chennai.

For Petitioner: Mr.M.Sushanth  
for Mr.L.Pachiyappan

For Respondents: Mr.R.Muniyapparaj,  
Additional Public Prosecutor,  
Assisted by Mr.M.Sylvester John

### **ORDER**

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

The mother of the detenu - P.Abishek, who has been branded as Drug Offender under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982, has challenged his detention order dated 21.8.2025.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.



HCP No. 2498 of 2025

WEB COPY

3. In paragraph No.3 of the grounds of detention that the detaining authority has stated that the detenu has not moved any bail application in Cr.No.472 of 2025 and his relatives are taking steps to take him out on bail by filing an application before the appropriate Court. The said statement is based on a statement purportedly recorded under Section 180(3) of the BNSS. In the said statement said to have been made by a relative, it is stated that the detenu is taking steps to seek bail in Cr.No.326 of 2025 on the file of D-1, Triplicane Police Station, which is totally unconnected with the detenu. The satisfaction arrived at by the detaining authority that the detenu is likely to file a bail application is on the basis of such a statement and therefore, suffers from non-application of the mind. Therefore, we are inclined to set aside the impugned order of detention and direct the release of the detenu.

4. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Memo No.578/BBCDEFGISSSV/2025, dated 21.08.2025, is hereby set aside.



HCP No. 2498 of 2025

WEB COPY

5. The detenu, viz., P.Abishek, S/o.D.Paulraj, male, aged 27 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.)  
23-03-2026

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

**Note to office:**  
**Issue order copy today**  
ars



HCP No. 2498 of 2025

1. The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Government of Tamilnadu,  
Fort St.George,  
Chennai - 600 009.

2. The Commissioner of Police,  
Greater Chennai,  
Office of the Commissioner of Police (Goondas Section),  
Vepery, Chennai - 600 007.

3. The Superintendent of Police,  
Central Prison,  
Puzhal, Chennai - 600 066.

4. The Inspector of Police,  
D-1 Triplicane Police Station,  
Chennai - 600 002.

5. The Public Prosecutor,  
High Court, Madras.



WEB COPY



HCP No. 2498 of 2025

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

ars

**HCP No. 2498 of 2025**

**23-03-2026**

---

Page 6 of 6