Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR.JUSTICE B.KARTHIKEYAN

HCP No. 1668 of 2026

CNR: {HCMA012066102026}

Saranya
W/o. Ramamoorthy,
No.9/7, North Street,
Chokkalingapuram,
Muthumothanmozhi,
Tirunelveli District.

Case QR

..Petitioner(s)

Vs

1. The State, rep. by,
   The Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St.George, Chennai-600009.

2. The Commissioner of Police,
   Greater Chennai Police,
   Chennai-600 007.

3. The Superintendent of Prison,
   Central Prison, Puzhal,
   Chennai.

4. The Inspector of Police
   M-1, Madhavaram Police Station,
   Chennai.

..Respondent(s)

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus or any other appropriate Writ or order or direction in the nature of the Writ calling for the records of the detention 17.06.2026 in detention Order No.266/BBCDEFGISSSV/2026 on the file of the

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2nd Respondent herein and quash the same and direct the Respondents herein to produce the body of the detenu Ramamoorthy, Hindu, aged about 27 years, S/o.Sakthivel, who is now confined in Central Prison, Puzhal,Chennai, before the Court and set him at liberty.

For Petitioner(s): Mr.S.Kasirajan

For Respondent(s): Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.Jagadish Chandira J.)

This Habeas Corpus Petition is filed to call for the records of the detention order dated 17.06.2026 in No. 266/BBCDEFGISSSV/2026, holding the detenu to be a "Drug Offender" as contemplated under Section 2(e) of the Tamil Nadu Preventive Detention Act,1982 (Tamil Nadu Act 14 of 1982), on the file of the 2nd Respondent herein, quash the same, and direct the respondents herein to produce the body of the detenu, Ramamoorthy, Hindu aged about 27 years, S/o. Sakthivel, who is now confined in Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

2.The learned counsel for the petitioner submitted that the detenu was furnished with a typed set of papers containing copies of the documents placed before the detaining authority. Page Nos.92 to 109 of the typed set of papers contain certificates of photography of the contraband seized in Crime No. 374

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of 2026 (ground case) and translations thereof from English. While all the English documents are dated 20.05.2026, the translated documents show the date as 30.05.2026. Without taking note of this serious discrepancy and proper application of mind, the detaining authority passed the detention order.

3.The learned counsel for the petitioner further submitted that the translated document furnished at page 122 containing the opinion of the Assistant Professor, Dr. Raghuram, Forensic Medicine, Government Hospital, Kilpauk, Chennai-10, is partially in English and partially in Tamil and a translated copy of the English portion was not furnished to the detenu, which prevented the detenu from making an effective representation within the stipulated time. Hence, he contended that the subjective satisfaction recorded by the detaining authority, without placing reliance on any supporting material, is a mere *ipse dixit*, and therefore, he prays for setting aside the impugned detention order.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that a typo had crept in while recording the dates.

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5.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

6.On a perusal of the materials available on record, it is seen that Page Nos.92 to 109 of the typed set of papers contain certificates of photography of the contraband seized in Crime No. 374 of 2026 (ground case) and translations thereof from English. While all the English documents are dated 20.05.2026, the translated documents show the date as 30.05.2026. Further, the translated document furnished at page 122 containing the opinion of the Assistant Professor, Dr.Raghuram, Forensic Medicine, Government Hospital, Kilpauk, Chennai-10, is partially in English and partially in Tamil and a translated copy of the English portion was not furnished to the detenu. Hence, this Court is of the view that the non-furnishing of translated copies has defeated the right of the detenu to make an effective representation within the stipulated time. Consequently, the subjective satisfaction arrived at by the detaining authority is rendered a mere *ipse dixit*. Hence, we are of the considered opinion that the impugned detention order is vitiated and is liable to be quashed on these grounds alone.

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7. In the result, this Habeas Corpus Petition stands **allowed** and the order of detention in Order No.266/BBCDEFGISSSV/2026 dated 17.06.2026, passed by the second respondent, is set aside. The detenu, viz., Ramamurthy, aged about 27 years S/o.Sakthivel, is directed to be released forthwith unless his detention is required in connection with any other case.

(A.D.J.C.,J.) (B.K.,J.)
23-11-2026

RAA

To

1. The Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St. George, Chennai-600009.

2. The Commissioner of Police
   Greater Chennai Police,
   Chennai-600 007.

3. The Superintendent of Prison
   Central Prison, Puzhal,
   Chennai.

4. The Inspector of Police
   M-1, Madhavaram Police Station,
   Chennai.

5.The Public Prosecutor,
  High Court, Madras.

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A.D.JAGADISH CHANDIRA, J.
AND
B.KARTHIKEYAN, J.

RAA

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