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HCP No. 325 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 325 of 2026

Devika

W/o.Manoj Kumar,

..Petitioner(s)

Vs

1. The Secretary to Government
Home, Prohibition and Excise Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police/
Detaining Authority,
City Police Office,
Huzur road,
Coimbatore City,
Coimbatore- 18.
3. The Superintendent of Police
Central Prison- Coimbatore,
Coimbatore district.
4. State Rep. by its The Inspector of Police
D-2 Selvapuram police Station,
Coimbatore District.

..Respondent(s)

Habeas Corpus Petition filed under Article 226 of the Constitution of India to call for the entire records, relating to the petitioners husband detention under Tamil Nadu Act 14 of 1982 vide detention order, dt .



04.02.2026 on the file of the 2nd respondent herein made in proceedings in C.No. 08/G/IS/2026, quash the same as illegal and consequently direct the respondents herein to produce the petitioners husband namely A.ManojKumar, S/o. Arumugam, aged 29 years before this Honble High Court and set the petitioners husband at liberty from detention, now the petitioners husband detained at Central Prison, Coimbatore and thus render justice.

For Petitioner: Mr.W.Camyles Gandhi

For Respondents: Mr.M.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

(Order of the Court was made by N.Sathish Kumar J.)

The petitioner, the wife of the detenu A.Manoj Kumar, S/o.Arumugam, male, aged 29 years, has come forward with this petition challenging the detention order passed by the second respondent dated 04.02.2026 bearing reference C.No.08/G/IS/2026 slapped on her husband, branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

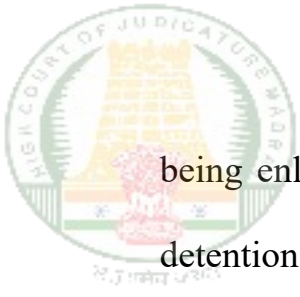
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.



3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned counsel for the petitioner confined his argument only with regard to non-application of mind on the part of the detaining authority in arriving at the subjective satisfaction regarding imminent possibility of detenu being enlarged on bail while passing the impugned order of detention.

4. The learned counsel for the petitioner submitted that the detenu was arrested and remanded to judicial custody in connection with the ground case and the detaining authority, while passing the impugned detention order, arrived at the subjective satisfaction regarding imminent possibility of coming out on bail by relying on a bail order dated 11.06.2025 in Crl.M.P.No.2405 of 2025 wherein bail was granted by this Court to one Viswanathan.

5. In this regard, the learned counsel drew the attention this Court to said order in Crl.M.P.No.2405 of 2025, which is enclosed at Page No. 119 of Volume II of the booklet. A careful perusal of the said order, brings to light that the facts of the said case is totally different as that of the instant case as the accused in the said case has attacked the deceased, who is his own son and has pleaded self-defence, whereas in the instant case, the detenu committed murder due to previous enmity. Therefore, taking the said bail order as a basis for arriving at subjective satisfaction regarding the imminent possibility of detenu



being enlarged on bail is clearly vitiated. Therefore, the impugned preventive detention order deserves to be dislodged.

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6. In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent dated 04.02.2026 bearing reference C.No.08/G/IS/2026 is hereby set aside. The detenu viz., A.Manoj Kumar, aged 29 years, male, S/o.Arumugam, is directed to be set at liberty forthwith unless he is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
19-08-2026

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



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**N.SATHISH KUMAR, J.
AND
K.RAJASEKAR, J.**

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