



WEB COPY

HCP No. 479 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 479 of 2026

Nasima Khatun, W/o.Shamim Sha,
Takiya Mohalla, Rajauli Post,
Nawada District, Bihar State.

..Petitioner(s)

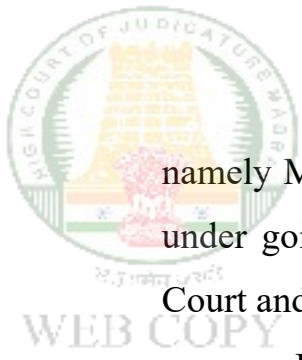
Vs

1. State of Tamilnadu rep.by,
The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The Commissioner of Police/
Detaining Authority,
Office of the Commissioner of Police,
Coimbatore city, Coimbatore.
3. The Superintendent of Prison,
Central Prison, Coimbatore,
Coimbatore District.
4. The Inspector of Police,
Prohibition Enforcement Wing,
Coimbatore City.

s

..Respondent(s)

Prayer: Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue a Writ, order or direction in the nature of a Habeas Corpus to call for the records relating to the detention order vide C.No.210/G/IS/2025 dated 22.12.2025, passed by the Second respondent and quash the same and direct the respondents herein to produce the petitioner's son



namely MD Danish Sha, son of Shamim Sha, aged 22 years, (who is presently under going detention in the Central Prison, Coimbatore), before this Honble Court and set him at liberty.

For Petitioner(s): Mr. M.N.Balakrishnan

For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate (Crl.Side)

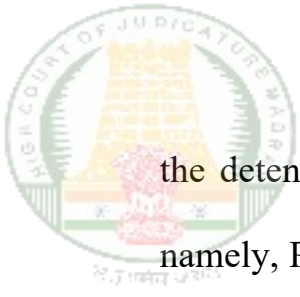
ORDER

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

This Habeas Corpus Petition has been filed by to quash the order of detention passed by the 2nd respondent in C.No.210/G/IS/2025, dated 22.12.2025.

2. We have heard the learned counsel for the petitioner and learned Additional Public Prosecutor appearing for respondents. We have also perused the records submitted by the detaining authority.

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 mainly focussed his argument on the ground that the detenu has been supplied with Volume I and II of Booklets and in page No.20 of the Vol.I, which is an arrest warrant, it was stated that the contents of the order was read over and explained in Hindi by one Suman, who known the Hindi language to



the detenu. However, in the seal affixed therein, it is seen that a Translator, namely, Paramasivan had put his signature above the seal, as the order was read over by him and explained in Hindi to the detenu. Thus, the detention order is vitiated and the same is liable to be quashed.

4.The said submission made by learned counsel appearing for the petitioner has not been disputed by learned Government Advocate.

5. In view of the above, we are inclined to set aside the impugned detention order.

6.In the result, the Habeas Corpus Petition is allowed and the order of detention passed by the 2nd respondent in C.No.210/G/IS/2025, dated 22.12.2025 is set aside. The detenu, namely, MD Danish Sha, aged 22 years, S/o Shamim Sha is directed to be released forthwith unless his detention is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
13-08-2026

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

MST



To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The Commissioner of Police/
Detaining Authority,
Office of the Commissioner of Police,
Coimbatore city, Coimbatore.
3. The Superintendent of Prison,
Central Prison, Coimbatore,
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**N.SATHISH KUMAR, J.
AND
K.RAJASEKAR, J.**

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