



HCP(MD)No.415 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

HABEAS CORPUS PETITION(MD)No.415 of 2025

Manikandan

... Petitioner

vs.

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

2. The District Magistrate and District Collector
Office of the District Magistrate and District Collector
Dindigul District, Dindigul

3. The Superintendent of Prison
Madurai Central Prison,
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the entire records connected with the detention order of the second respondent in detention order No.14 of 2025 dated 22.02.2025 and quash the same and direct the respondents to produce the body or person of the detenu by



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name Manikandan, son of Sathuragiri aged about 45 years now detained as “sexual offender” at Madurai Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Dr.R.Alagumani

For Respondents: Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**]

This Habeus Corpus Petition has been filed to quash the detention order passed by the second respondent in No.detention order No.14 of 2025 dated 22.02.2025 and direct the respondents to produce the detenu or body of the detenu namely Manikandan, son of Sathuragiri aged about 45 years, now detained at the Central Prison, Madurai before this Court and set him at liberty forthwith.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. The petitioner was arrested and remanded to judicial custody in pursuance to the registration of Crime No.02 of 2025 for the offences under Sections 127(2), 351(3) of BNS and Sections 5(f), 5(l) r/w.6 of POCSO Act, 2012 on the file of the Inspector of Police, Dindigul Rural All Women Police Station, Dindigul District. Thereafter the investigating officer who being the sponsoring authority detained him under Act 14 of 1982. On receipt of the same, the detaining authority considering the facts and circumstances of the case and also considering the gravity of offence committed by the detenu the detaining authority detained him under Act 14 of 1982.

4. The learned counsel appearing for the petitioner would submit that the petitioner did not file any application for bail so far. Further in similar case as mentioned in the grounds of revision, one Ajith kumar was granted bail in Crime No.07 of 2022 for the offences under Sections 363 of IPC and Section 5(l), 6 of POCSO Act in Cr.M.P.No.583 of 2022 dated 31.05.2022 in which the prosecution had no objection to grant bail. Therefore, it is not similar to the present case and it shows clear non application of mind by the detaining authority.



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6. On perusal of the records and on the submission made by the learned Additional Public Prosecutor along with counter it reveals that since the petitioner had filed an application for bail there is imminent possibility for granting bail to the petitioner. Further in a similar case which was referred by the detaining authority the accused one Ajith Kumar was granted bail. Though the reason for granting bail to the accused on so many grounds, in the similar case also bail was granted by the Court in Cr.M.P.No.583 of 2022 dated 31.05.2022. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent.

7. In the result, the Habeus Corpus Petition stands dismissed.

[G.K.I., J.] [R.P., J.]
03.12.2025

Index : Yes / No
Neutral Citation : Yes / No
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Madurai Bench of Madras High Court,
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