



WEB COPY

H.C.P.No.1857 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.1857 of 2025

Gowsalya (F/47 years)
W/o. Manickam,
D.No1/B, Akkammal Garden,
Vilankurichi, Coimbatore District.

Now residing at
No.355/3 Green City Garden
Arakkulam, Karanampettai,
Palladam Taluk, Tiruppur District.

.. Petitioner

VS

- 1.The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Coimbatore District.
- 3.The Superintendent of Police,
Coimbatore District.
- 4.The Superintendent of Prison,
Central Prison, Coimbatore,
Coimbatore District.



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5.The Inspector of Police,
Sulur Police Station,
Coimbatore District.

.. Respondents

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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records relating to the detention order vide Cr.M.P.No.32/S.O/2025 dated 14.08.2025, passed by the second respondent and quash the same and direct the respondents herein to produce the petitioner's son namely Vasanthakumar, S/o. Manickam, aged 22 years (who is presently under going detention in the Central Prison, Coimbatore) before this Court and set him at liberty.

For Petitioner : Mr.S.N.Arunkumar

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The mother of one Vasanthakumar, (detenu), S/o Manikkam, who had been branded as a 'Sexual Offender' under an order dated 14.08.2025 passed under Section 2(ggg) of the Tamil Nadu Preventive Detention Act, 1982 (in short, 'Act'), has filed this habeas corpus petition.

2.Learned counsel for the petitioner would assail the order of detention, pointing out that the subjective satisfaction of the detaining authority is vitiated by his reliance upon order dated 12.09.2020 in CMP.No.257 of 2020 in Cr.No.634 of 2020 granting bail to that accused.

3.We have heard learned Additional Public Prosecutor as well.

4.The detaining authority has, in the grounds of detention, referred



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to bail granted in CMP.No.257 of 2020 in Cr.No.634 of 2020 on 12.09.2020 to support his apprehension that in the present case too, the detenu may be enlarged on bail.

5. We have perused that bail order, which is placed at page 53 of the booklet furnished to the Court. In that case, bail had been granted to the accused since charge sheet had not been laid and the accused was in judicial custody for more than 90 days. We do not find that the cases of the detenu in the present matter and the accused in the other, are similar and hence agree with the petitioner that the subjective satisfaction of the detaining authority stands vitiated on this account.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Cr.M.P.No.32/S.O./2025, dated 14.08.2025 is set aside.

7. The detenu, viz., Vasanthakumar, S/o. Manikkam, aged 22 years, who is now confined in Central Prison, Coimbatore, is 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.]
07.04.2026

Index: Yes/No
Speaking order
Neutral Citation: Yes
vs
Note : Issue Today

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To

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- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Coimbatore District.
- 3.The Superintendent of Police,
Coimbatore District.
- 4.The Superintendent of Prison,
Central Prison, Coimbatore,
Coimbatore District.
- 5.The Inspector of Police,
Sulur Police Station,
Coimbatore District.
- 6.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 7.The Public Prosecutor,
High Court, Madras.



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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

vs

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