



HCP No. 2114 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2114 of 2025

Manikandan

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Represented by Principal Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.
2. The District Magistrate and District Collector,
Tiruppur District.
3. The Superintendent of Police,
Tiruppur District.
4. The Superintendent,
Central Prison,
Coimbatore.
5. The Inspector of Police,
Palladam Police Station,
Crime No.872/2025,
Tiruppur District.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India
praying to issue a writ of Habeas Corpus, calling for the records relating



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to the Detention order vide Memo Cr.M.P.No.81/GOONDA/2025 Dated 21.09.2025 passed by the second respondent and quash the same and direct the respondents herein to produce petitioner's brother namely Ajith, Aged about 23 years, S/o.Late Naganathan (who is now confined in Central Prison, Coimbatore) before the Court, and set him at liberty.

For Petitioner(s):	Mr.R.Subramanian
For Respondent(s):	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John

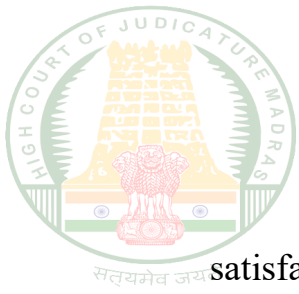
Order

(Order of the Court was made by SUNDER MOHAN, J.)

The brother of detenu - Ajith, S/o.(Late) Naganathan, aged 23 years, has filed this petition challenging the detention order dated 21.09.2025, branding him as a 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned Additional Public Prosecutor for respondents.

3. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the ground that the



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satisfaction of the detaining authority as regards the real possibility of the detenu coming out on bail suffers from non-application of mind.

4. In the grounds of detention, the detaining authority has stated that the detenu had filed the bail application in CrI.MP.No.2301 of 2025 before the Principal District and Sessions Judge, Tiruppur and the same is pending and that in a similar case, bail was granted by the Principal Sessions Court, Tiruppur in CrI.MP.No.1629 of 2023 on 28.07.2023.

5. The detaining authority ought to have seen whether the facts in the bail order relied upon by him was comparable to the facts of the instant case. In the order relied upon by the detaining authority, the accused therein was granted bail because he had one previous case, whereas, in this case, the detenu has two adverse cases. Therefore, the reliance placed by the detaining authority on the said order, vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. Hence, the detention order is liable to be quashed.



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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.81/GOONDA/2025 dated 21.09.2025, is set aside.

7. The detenu, viz., Ajith, S/o.(Late) Naganathan, aged 23 years, who is now confined in Central Prison, Coimbatore, is hereby 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.)
29-04-2026

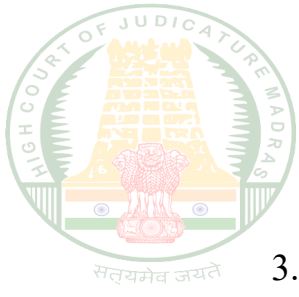
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG

Note: Issue order today.

To

1. The State of Tamil Nadu
Represented by Principal Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.
2. The District Magistrate and District Collector,
Tiruppur District.



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3. The Superintendent of Police,
Tiruppur District.
4. The Superintendent,
Central Prison,
Coimbatore.
5. The Inspector of Police,
Palladam Police Station,
Crime No.872/2025,
Tiruppur District.
6. The Public Prosecutor,
Madras High Court.
7. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St. George, Chennai – 9.



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**DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.**

TSG

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