



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2160 of 2025

Lakshmi
W/o.Periyasamy,
No.10/207 A, J.J.Nagar,
Pollachi, Angalakurichi,
Coimbatore-642 007.

..Petitioner(s)

Vs

1. The Additional Chief Secretary To Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The District Collector And District Magistrate,
Office of the District Collector and District
Magistrate,
Coimbatore-641 018.
3. The Superintendent Of Police,
Office of the Superintendent of Police,
Coimbatore-641 018.
4. The Superintendent Of Prison,
Central Prison Coimbatore,
Coimbatore-641 018.
5. The Inspector Of Police,
Aliyar Police Station,
Coimbatore-642 101.



..Respondent(s)

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PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Habeas Corpus or any other Writ or Direction, calling for the entire records connected with the detention order of the 2nd respondent in CrI.M.P.No.21/S.O/2025 dated 13.05.2025 and quash the same and direct the respondents to produce the body and person of my son namely Dineshkumar son of Periyasamy aged about 25 years detained in Central Prison, Coimbatore, before this Honble Court and set him at liberty.

For Petitioner(s): R.Rajprabhu

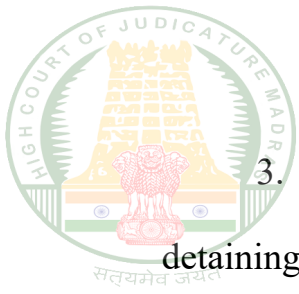
For Respondent(s): Mr.R.Muniyapparaj Additional Public
Prosecutor assisted by Mr.M.Sylvester
John

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

We have heard Mr.R.Rajprabhu, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, learned counsel for the respondents.

2. The challenge in this HCP is to detention order dated 13.05.2025, whereunder Dineshkumar son of Periyasamy has been detained and confined in Central Prison, Coimbatore,



3. The ground that appeals to us is that the comparable case cited by the detaining authority to support his apprehension that the detenu will be released on bail is really not comparable. In the case relied upon by the detaining authority, bail that has been obtained by that accused is for non-filing of final report within the statutory period under Section 167 of the Code of Criminal Procedure, 1973, whereas in the present case, that situation would not arise. Hence, the satisfaction of the authority is vitiated on account of non-application of mind.

4. 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.21/S.O/2025 dated 13.05.2025 is set aside.

5. The detenu, viz., Dineshkumar S/o. Periyasamy, male aged 25 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.)

29-04-2026

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note: Issue today.

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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

To

1. The Additional Chief Secretary To Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The District Collector And District Magistrate,
Office of the District Collector and District
Magistrate, Coimbatore-641 018.
3. The Superintendent Of Police,
Office of the Superintendent of Police,
Coimbatore-641 018.
4. The Superintendent Of Prison,
Central Prison Coimbatore,
Coimbatore-641 018.
5. The Inspector Of Police,
Aliyar Police Station, Coimbatore-642 101.
6. The Public Prosecutor, High Court, Madras.
7. The Joint Secretary to Government, Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.

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