

H.C.P.No.2240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2026

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CORAM :

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

H.C.P.No.2240 of 2025

Uma, F/A 21 years,
W/o. Manikandan,
No.27, M Block, Dr.Thomas Road,
Thiyagaraya Nagar,
Chennai – 600 017

.. Petitioner

VS

1.The State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Govt.,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police,
The Greater Chennai City,
Vepery, Chennai - 600 007.

3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai - 600 066.

4.The Inspector of Police,
S-8, Adambakkam Police Station,
Chennai.

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records relating to the detention order in Memo No.551/BBCDEFGISSSV/2025 dated



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08.08.2025 passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's husband Thiru.Manikandan @ Dio Mani, S/o. Jayakopal, aged about 30 years, the detenu, now confined in Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

For Petitioner : Mr.K.Vijay

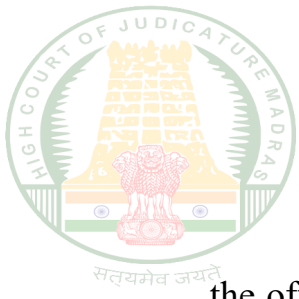
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The wife of Manikandan @ Dio Mani, S/o. Jayapal, presently in Central Prison, Puzhal, has filed this petition seeking quash of order of detention dated 08.08.2025. The detenu was arrested on 19.07.2025 for the ground case involving offences under Sections 115(2), 118(1), 125, 126(2), 296(b), 309(4), 311, 324(2) and 351(3) BNS, 2023.

2. Learned counsel for petitioner would argue that the subjective satisfaction of the detaining authority is improper since one of the basis for the detention is that the detenu will be enlarged on bail for which purpose the authority relies on an order passed by the Court of Sessions at Chennai in CrI.M.P.No.20525/24 on 29.07.2024. In that case, we find that the offences as against that accused were under Sections 126(2), 296(b), 115, 125, 309(4), 311 and 315(2) of BNS, 2023.



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3. While the learned Additional Public Prosecutor would argue that

the offences are sufficiently comparable, we find that in the present case, the offences under Sections 118(1) and 324(2) relating to voluntarily causing hurt and mischief do not find part of the array of offences in that case. The present case is thus graver in nature than the other case and hence the chances of the detenu being granted bail cannot be compared with that accused. Since we have found that the subjective satisfaction is vitiated, the order of detention has necessarily to go.

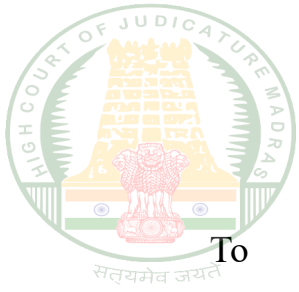
4. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.551/BBCDEFGISSSV/2025, dated 08.08.2025 is set aside.

5. The detenu, viz., Manikandan @ Dio Mani, S/o. Jayapal, aged 30 years, who is now confined in Central Prison, Puzhal, Chennai, 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.]
20.04.2026

Index:Yes/No
Neutral Citation:Yes
ssm

Note : Issue Today

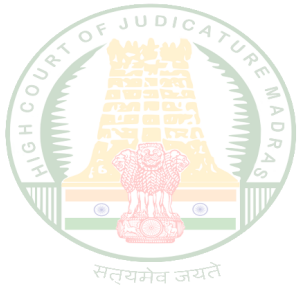


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To

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- 3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai - 600 066.
- 4.The Inspector of Police,
S-8, Adambakkam Police Station,
Chennai.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



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