



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2013

CORAM:

THE HON'BLE MR.JUSTICE S.TAMILVANAN

AND

THE HON'BLE MR.JUSTICE V.S.RAVI

H.C.P. (MD) No.1368 of 2013

D.Vimala

...Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
at Nagercoil.

2.The Inspector of Police,
Suchindrum Police Station,
Suchindrum, Kanyakumari District.

...Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu viz., G.Kalyanasundharam, S/o Ganapathy, aged about 38 years, before this Court and set him at liberty.

For petitioner : Mr.K.P.Narayanakumar

For respondent : Mr.C.Mayilvahanarajandran, APP

ORDER

(Order of the Court was made by S.TAMILVANAN,J.)

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

2.The Habeas Corpus petition has been filed under Article 226 of the Constitution of India, seeking an order to direct the respondents to produce the detenu viz.,G.Kalyanasundharam, aged about 38 years, before this Court and set him at liberty.

3.The learned Additional Public Prosecutor appearing for the respondents has submitted that the alleged detenu G.Kalyanasundharam was arrested in connection with the case in Crime No.332 of 2012 registered under Sections 447, 318 and 411 of IPC and remanded to judicial custody .

4.Considering the fact that the alleged detenu was legally arrested and he was remanded to judicial custody and therefore, we are of the view that the Habeas Corpus petition is not maintainable and the same is liable to be dismissed.

5.In the result, the Habeas Corpus petition is dismissed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Kanyakumari District,
at Nagercoil.



2.The Inspector of Police,
Suchindrum Police Station,
Suchindrum,
Kanyakumari District.

+1CC to M/s.K.P.Naranaya Kumar, Advocate in SR.No.63889

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