

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

H.C.P.No.1036/2015

Sumathi

.. Petitioner

vs.

1. State of Tamil Nadu
rep. by its Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.
3. The Commissioner of Police,
Chennai City, Vepery,
Chennai.
4. The Inspector of Police,
R.7, K.K.Nagar Police Station,
Chennai.
5. The Inspector of Police,
R.10, M.G.R.Nagar Police Station,
Chennai.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus petition directing the 4th respondent to produce the body and person of the petitioner's son namely Gopal @ Gopalakrishnan, son of Manibalan, aged about 23 years before this Court and set him at liberty.

For Petitioner .. Mr.S.Mohamed Ansar

For Respondents 1 to 5.. Mr.A.N.Thambidurai, APP

ORDER

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

This petition has been filed by the petitioner/mother of the detenu Gopal @ Gopalakrishnan, aged about 23 years, to secure her son, who is said to be in the illegal custody of the 4th respondent and to set him at liberty.

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

3. The alleged detenu Gopal @ Gopalakrishnan, aged about 23 years, son of Manibalan, appeared before this Court.

4. It is submitted by the learned Additional Public Prosecutor that the detenu is appearing before this Court on his own volition. That is not disputed by the learned Counsel appearing for the petitioner and the detenu.

5. Having considered the presence of the alleged detenu and also the fact that there is no illegal custody, we are of the view that the Habeas Corpus Petition is not at all maintainable.

6. Accordingly, having recorded the statement of the detenu that he is appearing before this Court on his own volition, the Habeas Corpus Petition is ordered to be closed.

Sd/-

Asst.Registrar (CO)

सत्यमेव जयते
/true copy/

Sub Asst. Registrar

To

1. The Secretary,
State of Tamil Nadu,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.

WEB COPY

2. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.

3. The Commissioner of Police,
Chennai City, Vepery, Chennai.

4. The Inspector of Police,
R.7, K.K.Nagar Police Station, Chennai.

5. The Inspector of Police,
R.10 M.G.R.Nagar Police Station, Chennai.

6. The Public Prosecutor
High Court, Madras.

1 cc to Mr.S. Mohamed Ansar, Advocate, Sr. 23096

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