

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1301 of 2015

S.Mahalakshmi

... Petitioner

-Vs-

1. The Commissioner of Police,
Chennai.
2. The Inspector of Police,
S11, Tambaram Police Station,
Chennai-600 045.
3. Kalpana

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents 1 and 2 to produce the body of the petitioner's husband viz., Silambarasan, aged 35 years, who is under the illegal custody of the third respondent and hand over the custody of Silambarasan to the petitioner herein.

For Petitioner : Ms. M.Akila

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor

O R D E R

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

This petition has been filed by the petitioner/wife of the detenu under Article 226 of the Constitution of India seeking an order in the nature of Habeas Corpus, directing the respondents to produce the petitioner's husband, Silambarasan, M/A 35, before this Court and set him at liberty.

2.Learned Additional Public Prosecutor submitted that the detenu has been arrested in connection with the case registered in Cr.No.2915/2015 for the offence under Sections 366, 420, 495, 323, 498A and 506(ii) IPC on the file of S-11, Tambaram Police Station and has been remanded to judicial custody in furtherance of the order of remand passed by the Judicial Magistrate, Tambaram.

3.In view of the submission made by the learned Additional Public Prosecutor, we are of the view that the petition is liable to be dismissed. In the result, the petition is dismissed as not legally sustainable.

4.It is made clear that the petitioner is entitled to approach the appropriate forum for seeking appropriate relief.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Tambaram.
2. The Commissioner of Police,
Chennai.
3. The Inspector of Police,
S11, Tambaram Police Station,
Chennai-600 045.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

H.C.P. No.1301 of 2015

VD(CO)
CA(09/09/2015)