

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.07.2015

CORAM

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

H.C.P. No.1807 of 2015

S.D.Basheera ... Petitioner/Mother of the detenue

-v-

- 1.The Commissioner of Police,
The Greater Chennai,
Vepery, Chennai-600 007.
- 2.The Inspector of Police,
C5, Pookkadai Police Station,
Chennai-600 001.
- 3.The Deputy Commissioner of Police,
B1 North Beach II Line Police Station,
Chennai-600 001.
- 4.Umashankar
- 5.Paulraj

... 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 to 3 to find out the whereabouts of the petitioner's son Mohammed Dawood , aged about 29 years and rescue him from the illegal custody of the respondents 4 and 5 and produce him before this Court and to set him at liberty forthwith.

For Petitioner : Mr.S.Rajanikanth
For Respondents: Mr.A.N.Thambidurai
Addl. 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/mother 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 son, M.K.Muhammed Dawood, M/A 29, son of Mohammed Kasim, before this Court and to set him at liberty.

2.Learned Additional Public Prosecutor has produced a copy of the remand report wherein it is stated that the detenu has been arrested by the Inspector of Police, B1 North Beach Crime Police Station, Chennai-600 001, in connection with the case registered in Cr.No.517/2014 on 28.07.2015 for the offences under Sections 384 @ 397 IPC and he is under judicial custody.

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 maintainable.

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

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

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

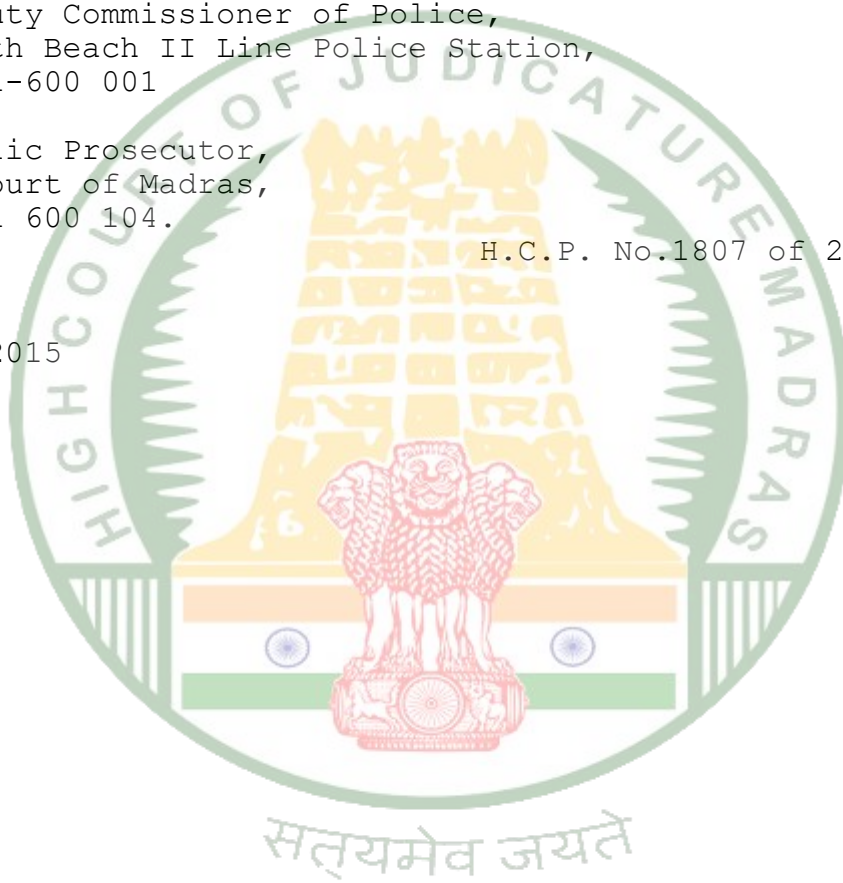
2.The Inspector of Police,
C5, Pookkadai Police Station,
Chennai-600 001.

3.The Deputy Commissioner of Police,
B1 North Beach II Line Police Station,
Chennai-600 001

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

H.C.P. No.1807 of 2015

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pmk.13.8.2015



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