

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.08.2015

CORAM

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

H.C.P. No.1885 of 2015

Sathiya

... Petitioner

-vs-

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
3. The Inspector of Police,
Mathur Police Station, Krishnagiri District.
4. Mohan, S/o. not known
Sub Inspector of Police, Pochampalli Police Station,
Krishnagiri District.

... 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 to produce the detenu Ramesh, son of Krishnan, aged 45 years, now illegal custody of the respondents, before this Court and to set him at liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor
for R1 to R3

O R D E R

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

This petition has been filed under Article 226 of the Constitution of India seeking an order in the nature of Habeas Corpus, directing the respondents to cause production of her husband Ramesh, male aged about 45 years before this Court and to set him at liberty.

2.It is submitted by the learned Additional Public Prosecutor that the third respondent has specifically stated in the counter that the alleged detenu was arrested in connection with a case in Cr.No.75 of 2015 on the file of Palamaner Police Station for the offence under Section 136(1)(a), dated 13.05.2015 and he has also produced the details regarding the above said case.

3. Hence, it is open to the petitioner and the alleged detenu to seek remedy before the appropriate forum. As there is no illegal detention, we are of the view that this Habeas Corpus Petition is not sustainable. In view of the same, we find just and reasonable to dismiss the petition.

4.Accordingly, this Habeas Corpus Petition is dismissed. It is made clear that the petitioner and the alleged detenue have to work out their remedy before the appropriate forum, according to law.

Sd/-

Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
3. The Inspector of Police,
Mathur Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

H.C.P. No.1885 of 2015

CA(CO)
CA(27/08/2015)