

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.328 of 2015

Sujan Sundari

... Petitioner

Vs.

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Butt Road, St. Thomas Mount,
Chennai - 600 016.

2. The Inspector of Police,
S9, Pazhavazhathangal Police Station,
Chennai.

... Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
respondents to produce the body of the petitioner's husband
Pushparaj S/o, Arokiasamy aged about 40 years kept illegal
custody from the 2nd respondent and set him at liberty.

For Petitioner : Mr.G.Anbuechezheian

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor
(Crl.Side)

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O R D E R
(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by wife of the detenu,
Pushparaj for a direction to the respondents to produce the
detenu before this Court and set him at liberty.

2. It is the case of the petitioner that her husband went missing on 27.01.2015 and his whereabouts are not known.

3. Learned Additional Public Prosecutor, on instruction, submits that the detenu was arrested by Nandambakkam Police Station and thereafter, he was detained under Goondas Act. While in custody, he was arrested by the second respondent in Crime No.84 of 2015 for the offence under Section 379 IPC.

4. In such circumstances, we find that it is not a case of illegal detention warranting issuance of Writ of Habeas Corpus. Accordingly, this petition stands dismissed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Butt Road, St. Thomas Mount,
Chennai - 600 016.
2. The Inspector of Police,
S9, Pazhavazhathangal Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.328 of 2015

AD(CO)
CA(22/12/2015)

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