

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM:

The Hon'ble Mr.Justice S.MANIKUMAR
and
The Hon'ble Mrs.Justice ARUNA JAGADEESAN

H.C.P. No.442 of 2015

Peer Saleem

.. Petitioner

vs.

1. The Inspector of Police,
D-6, Anna Square Police Station,
Chennai - 600 005.

2. The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the relief as stated therein.

For petitioner : Mr.M.Ranjith Kumar

For respondents: Mr.A.N.Thambidurai, (for R1 and R2)
Additional Public Prosecutor.

O R D E R

Alleging illegal detention of one Peer Anif, by the Inspector of Police, D-6, Anna Square Police Station, Chennai, the 1st respondent herein, brother has sought for a Writ of Habeas Corpus.

2. On instructions from the 1st respondent, Mr.A.N.Thambidurai, learned Additional Public Prosecutor submitted that in connection with Crime No.409 of 2015 on the file of the Inspector of Police, D-6, Anna Square Police Station, Chennai, the alleged detainee, was arrested on 09.02.2015 for an offence under Section 379 IPC and that he was remanded to judicial custody on 11.02.2015. Learned Additional Public Prosecutor further added that proper intimation of arrest has been given to Mr.Peer Saleem, the petitioner.

3. Responding to the above, Mr.M. Ranjith Kumar, learned counsel for the petitioner submitted that intimation was given over phone.

4. Whatever be, the mode as per the dictum of the Supreme Court, intimation should be given immediately, which, in the case on hand, has been done. Detention alleged is not substantiated. As the alleged detainee is in judicial custody, question of issuance of Writ of Habeas Corpus, does not arise. Hence, this Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars

To

1. The Inspector of Police,
D-6, Anna Square Police Station,
Chennai - 600 005.
 2. The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.
 3. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.M. Ranjith Kumar, Advocate Sr.7970

HCP No.442 of 2015

LRS (CO)
EU 28.02.15

सत्यमेव जयते

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