



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE B.RAJENDRAN

H.C.P. No.79 of 2015

M.Uma

... Petitioner

-vs-

1.The Commissioner of Police,
Veppery Commissioner Office,
Greater Chennai City Police,
Chennai.

2.The Superintendent of Police,
SBCID Branch, IG Office,
Mylapore, Chennai-600 004.

3.Sumathi

4.Thangaraj

5.Chellappan

6.C.Munniyandi

7.Selvaraj

... 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 body and person of the detenu by name Mamani, son of M.Uma before this Court and to set him at liberty, now under the illegal detention of the third and fourth respondents herein.

For Petitioner : M/s.Bright Sun law Associates

For Respondents : Mr.A.N.Thambidurai
Addl. Public Prosecutor
for R1 & R2



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, by name, Mamani, son of M.Uma, who is in the illegal custody of respondents 3 and 4 herein, to cause production of her son before this Court and to set him at liberty.

2.Learned Additional Public Prosecutor would submit that the alleged detenu Mamani is suffering from paralytic attack and that he is living with his wife/the third respondent herein and he has also produced photographs to establish the said fact.

3.Learned counsel for the petitioner submitted that the petitioner is now seeking the address of the alleged detenu.

4.On the facts and circumstances of the case, we are of the view that if the petitioner is interested in getting the address, he could very well get the same from the Public Prosecutor or the police.

5.Having considered that there is no illegal detention by the wife of the detenu, we are of the view that no further order needs to be passed in this petition excepting dismissing the same.

6.Accordingly, this petition is dismissed. It is open to the petitioner to visit her son, if so needed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

vga Sub Assistant Registrar

To

1.The Commissioner of Police,
Veppery Commissioner Office,
Greater Chennai City Police,Chennai.

2.The Superintendent of Police,
SBCID Branch, IG Office,
Mylapore, Chennai-600 004.

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

+2cc's to M/s.Bright Sun Law Associates, Advocate, S.R.No24185

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SAI (CO)
CA(04/06/2015)