



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2015

CORAM:

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P (MD) No.1384 of 2015

Dhayal

.. Petitioner

Vs.

1. The Secretary to Government,
Home Department, State of Tamilnadu,
Fort St.George, Secretariat, Chennai-600 009.

2.The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.

3.The Director General of Police,
The State of Maharastra, Mumbai.

4.The Commissioner of Police,
Mumbai City, Mumbai,
State of Maharastra.

5.The Inspector General of Police,
South Zone, Alagarkovil Road, Madurai.

6. The Commissioner of Police,
Madurai City, Madurai.

7.The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the person or body of the detinue by name, P.Pandi @ Attack Pandi, S/o. Ponnusamy, aged about 38 years, before this Honourable Court and set him at liberty .

For Petitioner

: Mr.R.Alagumani

For RR 1 to 7

: Mr.K.S.Duraipandian

Additional Public Prosecutor.

O R D E R

[Order of the Court was made by S.NAGAMUTHU,J]

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The petitioner is the wife of one Mr.Pandi @ Attack Pandi, aged 38 years. The petitioner has come up with this Habeas Corpus Petition that from media report, she has come to know that her husband Mr.Pandi @ Attack Pandi was arrested by Madurai City Police officials along with the Mumbai Police in Mumbai. But, he has not been produced before the Court. She has further stated that she had apprehension that some harm may be casued to the life of her husband. Therefore, she has come up with this Habeas Corpus Petition, seeking a direction to the respondents to produce Mr.Pandi @ Attack Pandi, before this Court and to set him at liberty.

2.This Habeas Corpus Petition has come up today for admission. We have heard the learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the respondents.

3.The learned Additional Public Prosecutor would submit that Mr.Pandi @ Attack Pandi was arrested at 11.30 a.m., on 21.09.2015 in Navy Mumbai, Vasi, Hyperkairane Road, Sector-II, Near Kabil Bar, Maharashtra State, in connection with the case in Crime No.68 of 2013 under Sections 147, 148, 341, 427, 302, 120(b) and 109 read with 34 IPC. He would further submit that after arrest, Mr.Pandi @ Attack Pandi, was produced before the learned Chief Judicial Magistrate at Vasi, Navi Mumbai and he has been directed to be produced before the Jurisdictional Court. The learned Additional Public Prosecutor has also produced the written intimation from the Inspector of Police, C-1 Thideer Nagar Police Station to the petitioner, informing about the said arrest. The learned Additional Public Prosecutor would submit that Mr.Pandi @ Attack Pandi would be produced before the Jurisdictional Magistrate at Madurai today itself. The said statement is recorded. He would further submit that there would be no harassmt at the hands of the police. The said statement is also recorded.

4.The learned counsel for the petitioner would however submit that there is likelihood of Mr.Pandi @ Attack Pandi being harassed by the police for extracting confession. In our considered view the said apprehension is baseless, as the learned Additional Public Prosecutor has submitted to this Court that Mr.Pandi @ Attack Pandi would not be harassed and he would be produced before the Court today itself. Thus, we are satisfied that there is no illegal detention and therefore this Habeas Corpus Petition deserves only to be dismissed. Accordingly, this



Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (Per.Admn)

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Sub Assistant Registrar

pjl/smn

To

1. The Secretary to Government,
Home Department, State of Tamilnadu,
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- 2.The Director General of Police,
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The State of Maharashtra,
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- 5.The Inspector General of Police,
South Zone, Alagarkovil Road, Madurai.
6. The Commissioner of Police,
Madurai City, Madurai.
- 7.The Inspector of Police,
Subramaniyapuram Police Station, Madurai District.
- 8.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

GJM/JGB/7.10.15-3P-9C

ORDER MADE IN
H.C.P (MD) No.1384 of 2015
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