

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.8.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1632/2016

Kousalya ... Petitioner/Wife of detenu

Vs

1. Director General of Police,
R.K.Salai,
Chennai-600 005.

2. Deputy Inspector General of Police,
Villupuram,
Villupuram District.

3. The Superintendent of Police,
Villupuram,
Villupuram District.

4. The Inspector of Police,
Thirukovilur Police Station,
Villupuram,
Villupuram District.

5. The Inspector of Police,
Ambattur Police Station,
Ambattur.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the 5th respondent to produce the person or body of the detainee namely Sankar aged about 23 years, husband of the petitioner before this Court and hand over the custody of the detainee to the petitioner.

For Petitioner : Mr.S.E.Monica Vincent
For Respondent : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of one Mr.Sankar, aged 40 years. According to petitioner, Mr. Sankar was taken into illegal custody by the police on 31.07.2016 around 2.30 a.m., and thereafter, his whereabouts were not known. In this regard, the petitioner has alleged that he has been detained in illegal custody of the respondents. Hence, she has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition came up for hearing, the learned Additional Public Prosecutor submitted that Mr.Sankar is an accused in Cr.Nos.1576, 1938, 2130 and 2265 of 2016 on the file of Ambattur Police Station for various offences like theft. It is stated by him that in connection with these four cases, he was arrested and produced before the Judicial Magistrate, Ambattur, who intturn has remanded him to judicial custody. Thus, according to the learned Additional Public Prosecutor, there is no illegal detention.

3. We are satisfied with the said statement made by the learned Additional Public Prosecutor since we find that there is no truth in the allegation that the detenu has been detained illegally. There is no scope for passing any order as prayed for, as there is no illegal detention.

4. In the result, this Habeas Corpus Petition is dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. Director General of Police,
R.K.Salai,Chennai-600 005.

2. Deputy Inspector General of Police,
Villupuram,
Villupuram District.

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3. The Superintendent of Police,
Villupuram,
Villupuram District.

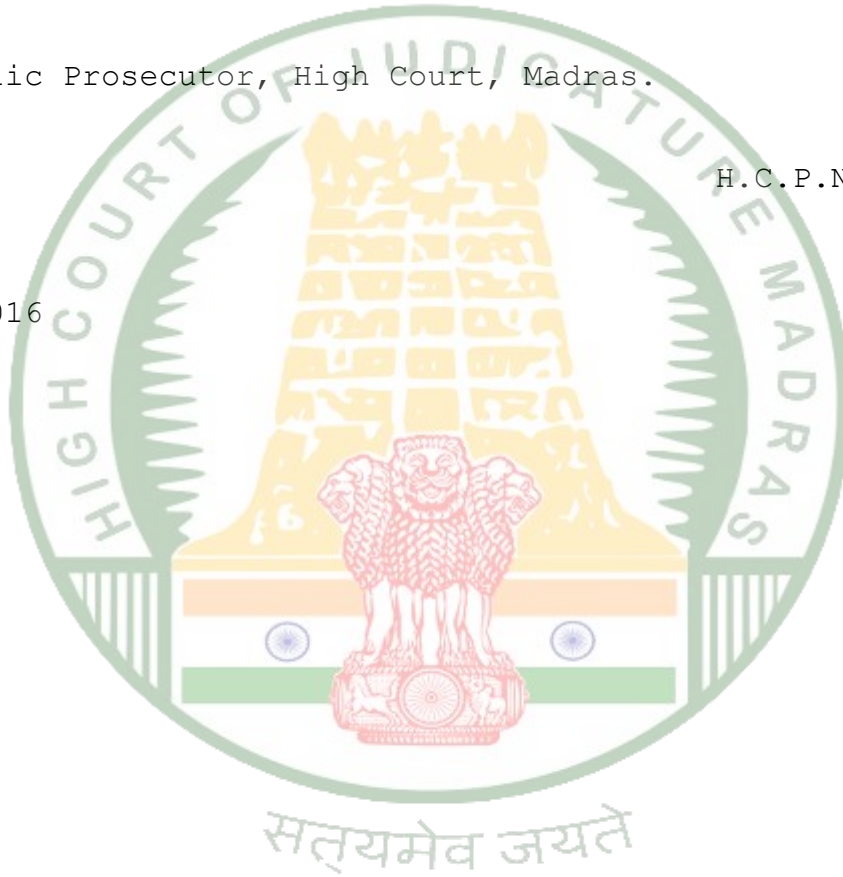
4. The Inspector of Police,
Thirukovilur Police Station,
Villupuram,
Villupuram District.

5. The Inspector of Police,
Ambattur Police Station,
Ambattur.

6. The Public Prosecutor, High Court, Madras.

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