

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE JUSTICE S.NAGAMUTHU

H.C.P.No.332 of 2016

R.Shakila

.. Petitioner

vs.

1.The Superintendent of Police,
Nagapattinam District,
Nagapattinam.

2.State rep. by the Inspector of Police,
Perambur Police Station,
Nagapattinam District.

3.Manjula

4.Sasikala

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the detenu Malarkannan, S/o.R.Shakila from the illegal custody of respondents 3 and 4 before this Court and restore the legal custody of the detenu.

For petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.V.M.R.Rajentren,
1 and 2 Addl. Public Prosecutor

सत्यमेव जयते

O R D E R

(Order of the Court was made by M.JAICHANDREN, J.)

This Habeas Corpus Petition has been filed by the mother of the detenu, namely, Malarkannan, praying that, this Court may be pleased to direct the respondents 1 and 2 to produce the detenu, before this Court and to set him at liberty.

2. The petitioner had stated that the detenu, who is the son of the petitioner, is in the illegal custody of the respondents 3 and 4. Therefore, the petitioner had made a

complaint before the T.2 Ambattur Estate Police Station. However, they had refused to register the complaint. Thereafter, the petitioner had given a complaint to the 2nd respondent. However, since no effective steps had been taken, by the 2nd respondent, to trace the detainee, the petitioner had preferred the present Habeas Corpus Petition.

3. At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor, appearing on behalf of the respondents 1 and 2, had submitted that the complaint lodged by the petitioner, had been registered by the 2nd respondent police and the respondents 3 and 4 had been arrested and remanded to police custody, based on the orders passed by the learned Judicial Magistrate No.II, Mayiladuthurai, and they were lodged in the Sub-Jail, Thiruvavur.

4. In such circumstances, in our considered view, no further orders are necessary in this Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition is closed. However, it is open to the respondent police to pursue the matter, in accordance with law.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
- 2.The Inspector of Police,
Perambur Police Station,
Nagapattinam District.
3. The Judicial Magistrate II
Mayiladuthurai
4. The Public Prosecutor, High Court, Chennai.
+1 cc to Mr.S.SarathChandran Advocate sr.18810

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