

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.03.2016

Coram:

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

H.C.P.No.551 of 2016

Kanagavalli

.. Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Arni, Thiruvannamalai District.

3.The Inspector of Police,
Kalambur Police Station,
Thiruvannamalai District.

.. Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body of the detenu M.Thiyagarajan, S/o.Mani, aged 31 years, before this Court and to set him at liberty.

For Petitioner : Mr.J.Thirunavukkarasu

For Respondents : Mr.V.M.R.Rajentran,
Additional Public Prosecutor

O R D E R

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

The petitioner is the wife of the detenu M.Thiyagarajan. She submitted a representation in the form of a complaint before the 3rd respondent police on 22.02.2016 alleging among other things that her husband was having conversation with his friends on 17.01.2016 on the bank of lake and that on 18.01.2016, when he went out for a job, he was attacked by Sudhakar and Kannan and hence, he has not gone to attend the work and subsequently, he went out and did not return. The grievance expressed by the

petitioner is that inspite of the complaint given to the higher officials, no worthwhile action has been taken and hence, she came to file the present Habeas Corpus Petition seeking the production of the detenu before this Court and to set him at liberty.

2. Mr.J.Thirunavukkarasu, the learned counsel appearing for the petitioner, would submit that the petitioner has got a female child and she has to support her and that without her husband, she is in dire state and hence, left with no other option, the petitioner has come forward to file the Habeas Corpus Petition and prays for appropriate orders.

3. We have heard the submissions of Mr.V.M.R.Rajentran, the learned Additional Government Pleader appearing for the respondents.

4. This Court has considered the rival submissions.

5. A perusal of the complaint would prima facie disclose that no illegal detention has been alleged. However, taking into consideration all other facts and circumstances, this Court directs the respondent Nos. 2 and 3 to take appropriate action on the complaint of the petitioner, dated 22.02.2016, in accordance with law, and to inform the decision taken to the petitioner. This Habeas Corpus Petition is disposed of accordingly.

paa

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The Deputy Superintendent of Police,
Arni, Thiruvannamalai District.
- 3.The Inspector of Police,
Kalambur Police Station,
Thiruvannamalai District.

4.The Additional Public Prosecutor,
High Court, Madras.

+ 1 CC TO Mr.J.Thirunavukkarasu, ADVOCATE SR 18295

KR/4/4/16

H.C.P.No.551 of 2016



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