



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.SELVAM
and

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL MP(MD) No.1325 of 2016

IN

HCP(MD) No.1778 of 2015

THAYAMMAL

... PETITIONER/ PETITIONER

Vs

1 THE SUPERINTENDENT OF POLICE
O/O. SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR DISTRICT,
VIRUDHUNAGAR.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
SIVAKASI,VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
M.PUDUPATTI,
VIRUDHUNAGAR DISTRICT.
(IN CRIME NO. 109/2015)

4 B. BOOPATHI RAJARAM ... RESPONDENTS/ RESPONDENTS

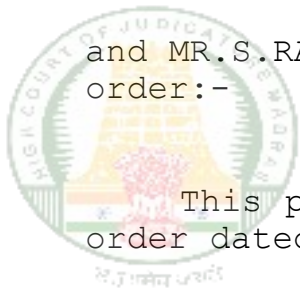
Prayer in CRL MP(MD). 1325/ 2016 in HCP(MD)No.1778/2015:

Hon`ble Court may be pleased to set aside the order dated 20.01.2016 in dismissing the above Habeas Corpus Petition for non-prosecution and to restore.

Prayer in Habeas Corpus Petition(MD) No. 1778/ 2015 :

Petition under Article 226 of the constitution of India, praying that in the circumstances stated therein and in the affidavit filed there of the High Court will be pleased to issue a WRIT OF HABEAS CORPUS or order or direction in the nature of Writ of Directing the Respondents to produce the person of body of the Detenue namely A.Seenivasan, Son of Alagarsamy aged about 65 years before this Honourable Court and set him at liberty.

Order : This petition coming on for hearing on this day, upon perusing the petition and the affidavit filed in support thereof the order of the High Court and upon hearing the arguments of M/S A.RAHUL, Advocate for the petitioner and of MR.K.S.DURAI PANDIAN, Additional public Prosecutor, on behalf of the Respondents R1 to R3,



and MR.S.RAMASAMY, Advocate for the R4, the court made the following order:-

(Order of the Court was made by A.SELVAM,J.)

This petition has been filed praying to set aside the dismissal order dated 20.01.2016 passed in H.C.P(MD)No.1778 of 2015.

2.It is averred in the petition that the petitioner has filed H.C.P(MD)No.1778 of 2015 on the file of this Court and the same has been posted on 20.01.2016 and due to non-appearance, the same has been dismissed. Under the said circumstances, the present petition has been filed for getting the relief sought therein.

3.Considering the nature of relief sought in the petition, the present petition can be allowed on fulfilment of the terms as stated infra:

In fine, the petitioner is directed to pay Rs.1,000/- (Rupees one thousand only) to the High Court Legal Services Committee attached to this Bench on or before 23.02.2016. Failing which, this petition will be dismissed.

4.For reporting compliance, post the matter by 24.02.2016.

sd/-

15/02/2016

For Reporting compliance

This petition having been passed before this Court subsequently on Wednesday the Twenty fourth day of February Two thousand and Sixteen (24.02.2016) and in presence of above said Advocate, and the Court made the following Order:-

"As per order dated 15.02.2016 the petitioner has paid Rs.1000/- to the High Court Legal Services Committee attached to this Bench and to that effect a memo has been filed and the same is recorded. Consequently, this petition is allowed".

Sd/-

Assistant Registrar(AE)

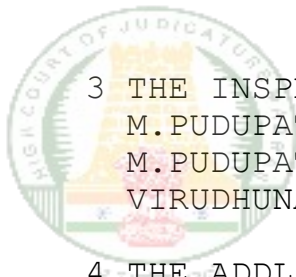
/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

TO

1 THE SUPERINTENDENT OF POLICE
O/O. SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR DISTRICT,
VIRUDHUNAGAR.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
SIVAKASI, VIRUDHUNAGAR DISTRICT.



3 THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
M.PUDUPATTI,
VIRUDHUNAGAR DISTRICT.

4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

1 THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(For Restore & Posting for case)

Date :24/02/2016

ORDER

CRL MP (MD) No.1325 of 2016
IN
HCP (MD) No.1778 of 2015

Giving directions etc as stated within.

RG.SK-SKN/AR-I

25.02.2016 3P/7C