



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.09.2016

CORAM

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**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

H.C.P(MD)No. 774 of 2016

R.Venugopal

.. Petitioner

vs.

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

2. The Inspector of Police,
Kalayarkovil Police Station
Sivagangai District

3. Chittan
the Sub Inspector of police, (Crimes)
Paramakudi
Ramanathapuram District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus to direct the 1st and 2nd respondents to produce the body and person of petitioner's brother Rajasekaran S/o.Ramasamy aged about 34 years before this Court and set him at liberty.

For Petitioner : Mr.A.Palkalaiselvan

For Respondents : Mr.A.Ramar

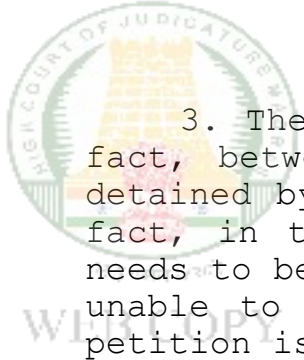
Additional Public Prosecutor

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this Habeas Corpus Petition alleging that one Mr.Rajasekaran, S/o.Ramasamy aged 34 years was taken into custody by the 3rd respondent on 15.06.2016.

2. The 2nd respondent has filed a status report, wherein, it is stated that he was not taken into illegal custody on 15.06.2016 at all. He was legally arrested on 19.06.2016 and produced before the Judicial Magistrate on the same day. Thus, according to the respondents, there was no illegal detention.



3. The learned counsel for the petitioner would submit that in fact, between 15.06.2016 and 19.06.2016, the detenu was illegally detained by the 2nd respondent. Since it is a disputed question of fact, in this petition, we cannot go into the same. The dispute needs to be resolved only by the competent forum. Therefore, we are unable to grant more relief in this petition. Accordingly, this petition is dismissed.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Kalayarkovil Police Station
Sivagangai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR
TE/GSV-PM : 27/09/2016 : 2P/4C

HCP. (MD) No.774 of 2016
15.09.2016