



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

H.C.P(MD)No.883 of 2016

S.Thayappan

.. Petitioner

Vs.

1.The Commissioner of Police
Tirunelveli District

2.The Inspector of Police
Perumalpuram Police Station
Tirunelveli District

3.M.Rengasamy

4.S.Muthuraj

.. Respondents

Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to secure the produce the person or body of the detinue, ie, the son of the petitioner namely Thalavai aged about 27 years from the illegal custody of the respondents 3 and 4 before this Court and set him at liberty.

For Petitioner : M/s.H.Arumugam

For Respondents : Mr.A.Ramar

Addl.Public Prosecutor

ORDER

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

The petitioner is the father of one Mr.Thalavai, aged 27 years. According to the petitioner, he has been found missing from 06.12.2015 onwards. Since he has not been secured by the police, despite complaint, the petitioner has come up with this Habeas Corpus Petition.

2.Today, the Habeas Corpus Petition was today taken up as a special list, on being mentioned by the learned Additional Public Prosecutor.

<https://hcservices.ecourts.gov.in/hcservices/>

3. When the matter was taken up by 12 noon, the learned



counsel for the petitioner appeared, the petitioner has also made his appearance. The detenu was produced by the 2nd respondent. He told us that out of fear for the creditors, he went to Thiruvannamalai, stayed there for sometime and then, stayed at Thiruppathi for sometime. He would further state that he has not been detained by anybody. Now, he is willing to go to his parental home.

4. In view of the above, nothing survives, as there is no illegal detention. The petition is, therefore, dismissed.

Sd/-
Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner of Police
Tirunelveli District

2. The Inspector of Police
Perumalpuram Police Station
Tirunelveli District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H.ARUMUGAM, Advocate, SR No.50711

ORDER MADE IN
H.C.P (MD) No.883 of 2016
06.09.2016

RR
SH/SKS-RR:20.09.2016:2P/5C