

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2017

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM
AND
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.1067 of 2017

Pathimuthu

... Petitioner

vs.

1. The Deputy Commissioner of Police,
Triplicane Range,
Triplicane,
Chennai.
 2. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-600 004
 3. Mathew @ Joye
- Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents to produce the body of petitioner's husband, the detenu Syed Basha, S/o.Mohammed Gouse, aged 41 years, before this Court and set him at liberty.

For Petitioner : Mr.G.Purushothaman

For Respondents : Mr.V.M.R.Rajentren, Addl.P.P.
For R1 and R2
Mr.C.K.M.Appaji for R3

ORDER

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

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the respondents 1 and 2, to trace out and produce the detenu, by name, Syed Basha, aged 41 years, son of Mohammed Gouse, husband of the petitioner.

2.It is represented on the side of the respondents 1 and 2 that the detenu has gone to Madhya Pradesh and passed away. After a lapse of 1-1/2 months from the date of his death, the petitioner has gone to Madhyapradesh. Under such circumstances, this Court has directed the petitioner to be present today and accordingly, she is present and she has been enquired into about the alleged factum of death of her husband,

by way of showing the photograph of dead body. She ascertained that the said photograph is nothing but her husband.

3.Considering the aforesaid factual circumstances, this Court is of the view that the detenu has passed away and therefore, the relief sought in the petition has become infructuous.

In fine, this habeas corpus petition is dismissed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

msk
To

1. The Deputy Commissioner of Police,
Triplicane Range,
Triplicane,
Chennai.
2. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-600 004
3. The Public Prosecutor,
High Court, Madras.

+2 Ccs to Mr.G. Purushothaman, advocate sr 54948.

सत्यमेव जयते H.C.P.No.1067 of 2017

GJ(CO)
sp(11/08/2017)

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