

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2017

CORAM:

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

H.C.P.No.781 of 2017

S.S.Balaji ... Petitioner
vs.

1. Mrs.S.Prabhavathy
2. The Inspector of Police,
V-4, Rajamangalam Police
Station, Kolathur,
Chennai-99 ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents herein to produce the persons of the detenu by name S.B.Shaagul, aged about 10 years and S.B.Moushikga, aged about 6 years (past three years the petitioner did not see his children), who are the children of the petitioner herein before this Court and set them at liberty.

For Petitioner : No appearance

For Respondents : Mr.Gopalakrishnan for
Prof.M.Udhayabanu for R1

सत्यमेव जयते
Mr.V.M.R.Rajentran, Addl.P.P.
for R2

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, (i) S.B.Shaagul, aged 10 years and (ii) S.B.Moushikga, aged 6 years, children of the petitioner.

2.Both the petitioner and his counsel is not present.

3.The second respondent, viz., the Inspector of Police, V-4, Rajamangalam Police Station, Kolathur, has produced the detenu along with their mother, viz., the first respondent herein.

4.Considering the aforesaid factual circumstances, the question of identification does not arise and therefore, the present petition deserves to be dismissed.

In fine, this habeas corpus petition is dismissed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

msk

To

1.The Inspector of Police,
V-4, Rajamangalam Police,
Station, Kolathur,
Chennai-99

2. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.M.Udhayabanu, Advocate Sr. 60661

+2cc to Mr.Senthamizhselvan, Advocate Sr. 60481

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GJ(CO)
VR(05/09/2017)