

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.2283 of 2016

Sivakamy Petitioner/Mother of the detenue

Vs

1. The State of Tamil Nadu
Represented by
The Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Attur Police Station,
Salem District

3. S. Indrani Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the petitioner's son Shanmugam, aged 46, before this Honourable Court and set him at liberty and pass such other orders.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.V.M.R. Rajentren,
1&2 Additional Public Prosecutor

For R3 : No Appearance

ORDER

[Order of the Court was made by S.NAGAMUTHU.J]

The petitioner claims to be the mother of one Mr.Shanmugam, aged 46 years. According to the petitioner, the third respondent who had developed illicit intimacy with her husband has illegally detained her son - Mr.Shanmugam. He has been found missing from 09.05.2014.

2.The learned Additional Public Prosecutor, on instruction would submit that Mr.Shanmugam was mentally ill and he has gone out on his own. Steps are being taken to secure him. The same is recorded.

3. From the above statement, we are satisfied that there is no illegal detention. Hence, the Habeas Corpus petition is dismissed. However, we make it clear that the respondents shall continue investigation.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

jbm/sts

To

1. The Superintendent of Police,
The State of Tamil Nadu
Salem District,
Salem.
2. The Inspector of Police,
Attur Police Station,
Salem District
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.CKM.Appaji,Advocate sr.17253

H.C.P.No.2283/2016

nr1(co)
ss(7/4/2017)

WEB COPY