

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.2677 of 2016

V.Balu .. Petitioner

Vs

1. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
 2. The Sub Inspector of Police,
Valangaiman Police Station,
Thiruvarur District.
- .. 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 detinue, Kumathavalli, wife of late Venkatachalam, aged about 80 years, before this court and to set her at liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.V.M.R.Rajentren, APP

ORDER

[Order of the Court was made by T.MATHIVANAN, J.]

This Habeas Corpus Petition is listed, today, in the special list, on being mentioned by the learned Additional Public Prosecutor appearing on behalf of the respondents.

2 Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of the respondents.

3 When the Habeas Corpus Petition is taken up, today, the detenue, namely, Kumuthavalli, was secured and produced by the second respondent. The petitioner is none other than the son of the detenue. On account of family dispute between the detenue and her other sons, she had left the house, voluntarily. Since her whereabouts were not known to the petitioner, being one of the sons of the detenue, he had lodged a complaint with the second respondent. Subsequently, the second respondent had secured the detenue and produced her before this Court.

4 On enquiry, the detenue has stated that she was abandoned by her other sons and one of her sons had assaulted her with brick. On account of this reason, she had left the house. However, she wants to go back to her house constructed by the petitioner herein, who is a practicing Advocate. According to the detenue, she has been maintained by the petitioner alone. The petitioner has also given an assurance that he would maintain her in future.

5 In such circumstance, we find it appropriate to permit the detenue, Kumuthavalli, to go, as per her wish, to her house, which is located at Alangudi, Thiruvarur District. Accordingly, the detenu, Kumuthavalli, is permitted to go to her house, situated at Alangudi, Thiruvarur District, as per her wish. If the detenue requires any police protection, the second respondent police is directed to give her sufficient police protection on her representation. No further orders are necessary in the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
2. The Sub Inspector of Police,
Valangaiman Police Station,
Thiruvarur District.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to M/s. R. Sankarasubbu, Advocate sr 10295

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