



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) Nos.1271,1277, 1278 and 1279 of 2017H.C.P (MD) No.1271 of 2017

V.P.Mohammed Ali

... Petitioner

-vs-

1.The Superintendent of Police,
Tanjavur District,
Tanjavur.

2.The Inspector of Police,
Papanasam Police Station,
Tanjavur District.

...Respondents

H.C.P (MD) No.1277 of 2017

M.S.Rahamathulla

... Petitioner

-vs-

1.The Superintendent of Police,
Tanjavur District,
Tanjavur.

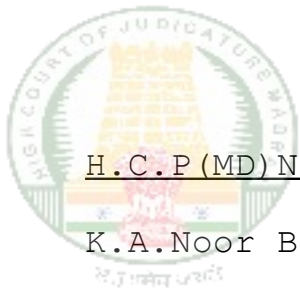
2.The Inspector of Police,
Papanasam Police Station,
Tanjavur District.

3.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

4.Deputy Superintendent of Police,
Mamallapuram Division,
Kancheepuram District.

5.The Inspector of Police,
Thirukazhukundram Police Station,
Kancheepuram District.

... Respondents



H.C.P (MD) No.1278 of 2017

K.A.Noor Batcha

... Petitioner

WEB COPY

-VS-

1.The Superintendent of Police,
Tanjavur District,
Tanjavur.

2.The Inspector of Police,
Papanasam Police Station,
Tanjavur District.

... Respondents

H.C.P (MD) No.1279 of 2017

M.Sabarammal

... Petitioner

-VS-

1.The Superintendent of Police,
Tanjavur District,
Tanjavur.

2.The Inspector of Police,
Papanasam Police Station,
Tanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body and person of the detenues namely M.Mohammed Ilah, aged about 19 years, S/o.Mohammed Ali, R.Abdul Muthalif son of M.S.Rahamathulla, aged about 22 years, K.N.Sheik Sahul Hameed, S/o.K.A.Noor Batcha, aged about 22 years and M.Mohammed Rafik, S/o.Mohammed Farook, aged about 22 years before this Hon'ble Court and set them at liberty.

For Petitioners : Mr.R.Narayanan

For Respondents : Mr.T.Mohan

Additional Public Prosecutor

C O M M O N O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

<https://hcservices.ecourts.gov.in/hcservices/> All the matters are taken up together and disposed of by common order.



2. According to the petitioners, the detenues have been taken into custody by the respondent police without authority of law and their whereabouts are not known.

3. The learned Additional Public Prosecutor on instructions would submit the detenues are in judicial custody in pursuant to the case registered in Cr.No.136 of 2017 for the offence under Section 457 and 380 of IPC, on the file of the Kelampakkam Police Station and another Cr.No.318 of 2016 on the file of the Sethuranga Pattinam police Station. The above two police Stations are not come under the jurisdiction of this Court.

4. The learned counsel appearing for the petitioners would submit that information has been given through phone stating that one of the detenu is admitted in the Stanly Hospital, Chennai.

5. The learned Additional Public Prosecutor does not have any instruction on this aspect.

6. Thus we find there is no illegal detention since all the detenues have been remanded as per the instructions given by the learned Additional Public Prosecutor. The petitioners are at liberty to file an appropriate application with reference to the statement made on the physical condition of the detenu, who according to the counsel for the petitioner admitted in the Stanly Hospital, Chennai before the Principal Bench.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Tanjavur District,
Tanjavur.
2. The Inspector of Police,
Papanasam Police Station,
Tanjavur District.
3. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
4. Deputy Superintendent of Police,
Memorandum Division,
Kancheepuram District.



5.The Inspector of Police,
Thirukazhukundram Police Station,
Kancheepuram District.

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

+1cc to M/S.R.Narayanan, Advocate SR.No. 76040

H.C.P.(MD) Nos.1271,1277,
1278 and 1279 of 2017
01.09.2017

am/cp
JM/RSK/SAR 2/13.09.2017/4P/8C