



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **04.12.2017**

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH

AND

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

H.C.P. (MD) No.1744 of 2017

K.Pandiselvi : Petitioner
Vs.
1. The Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
Tirumangalam, Madurai District
3. The Inspector of Police
Tirumangalam Taluk Police Station
Tirumangalam, Madurai District : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 to produce the body or person of the detenus namely Karmega Kannan aged 28 years and Palanisamy, S/o.Ramathevar aged 40 and Marimuthu S/o.Chinnaraman aged 40, Karthick, S/o.Paraman, aged 23 years, Sekar aged 45 years before this Court and set them at liberty.

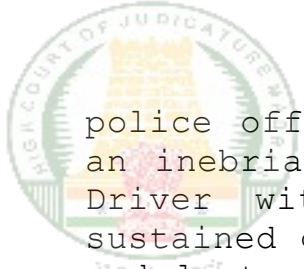
For Petitioner : Mr.N.Ananthapadmanaban
For Respondents : Mr.C.Ramesh
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R. SUBBIAH, J**]

The petitioner is the wife of the 1st detenu, viz., Karmega Kannan, aged 28 years. It is alleged in the affidavit that the first detenu is working as a Soldier in Indian Military. He came to his village on 21.11.2017 for holidays. However, when he was standing in the bus stop, he was assaulted by the respondent police and as such, there was a clash between her husband and the police officials and hence, the first detenu/husband of the petitioner was taken by the police officials and kept him in the illegal custody along with the other detenu. Hence, the petitioner's father approached the respondent police, but the police refused to receive the complaint on 27.11.2017. Hence, she has come forward with this petition.

2. When the matter was taken up for consideration, a detailed status report was filed stating that on 21.11.2017, when the



police officials were on patrol, the detenu along with others in an inebriated state attacked the Sub Inspector of Police and the Driver with iron rods, thereby the Sub Inspector of Police sustained grievous injuries and the Driver also sustained injuries and lost one of his eye. Subsequently, case has been registered in Crime No.386/2017 for offences under Sections 341, 294(b), 333, 324, 506(ii) and 307 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w 201, 212 and 120(B) IPC and except Palanisamy, the detenu 2,3, and 4 were arrested and remanded to judicial custody and so far as the first detenu is concerned, he is absconding.

3.Today, the respondent police produced the detenu, namely, Palanisamy. When we enquired, he stated that he is not in the illegal custody of any one.

4.In view of the above, we are of the view that no case has been made out by the petitioner warranting this Court to give direction. Hence, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
Tirumangalam, Madurai District
3. The Inspector of Police
Tirumangalam Taluk Police Station
Tirumangalam, Madurai District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR

VB/GT/SAR4/29/12/2017/2P/5C

**Order made in
H.C.P. (MD) No.1744 of 2017
Dated: 04.12.2017**