



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM:

THE HONOURABLE Mr. JUSTICE R.SUBBIAH

and

WEB COPY THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1775 of 2017

M.Ariyanachi

... Petitioner

Vs.

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

2.The Inspector of Police,
Saligramam Police Station,
Ilayankudi Taluk,
Sivagangai District.

3.Selvaraj

4.Sebastin

5.Chitra

6.Joseph

... Respondents

PRAYER: The Petition is filed under Article 226 of the Constitution of India, to direct the respondents 1 and 2 to secure and produce the person or body of the petitioner's brother-in-law, namely, Arumugam, S/o.Arumugam, S/o.Raman, aged about 22 years, the detenu who may be in the illegal custody of the respondents 4 to 6 or somebody else at the behest of the 3rd respondent and produce before this Court and set him at liberty.

For Petitioner : Mr.R.Murugan

For Respondent : Mr.C.Ramesh, APP for R1 and R2
Mr.R.Santhanakrishnan for detenu

ORDER

(Order of this Court was made by R.SUBBIAH, J.)

The petitioner is the brother-in-law of the detenu, Arumugam, aged 22 years. It is alleged in the affidavit that the 3rd respondent entrusted the detenu to the respondents 4 to 6 at Pune by giving assurance to pay Rs.10,000/- per month towards salary for working as an Assistant in the business of family members of the detenu during the year 2013. However, the detenu as a bonded labourer was not paid salary as promised. When the family members of the detenu tried to contact the detenu, the



respondents 4 to 6 did not permit to talk and gave evasive answer. Hence, the petitioner preferred a complaint before the respondent police. Since, no effective steps were taken, the petitioner is before this Court with this petition.

2. When the matter was taken up for hearing, the detenu has appeared before this Court. On enquiry, he has stated that the respondents 4 to 6 have harassed him and did not pay salary as promised and also did not allow the detenu to go to his native place. Now, he expressed his willingness to go along with the petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that after getting statement from the detenu, the respondent Police will register a case against the respondents 4 to 6 and take further action in accordance with law.

4. Recording the statement made by the learned Additional Public Prosecutor appearing for the respondent Police and in view of the willingness expressed by the detenu, we find that nothing survives for adjudication in this petition. Hence, recording the submission made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Saligramam Police Station,
Sivagangai District.

3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to Mr.R.MURUGAN, Advocate, SR.93291

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NBJ