



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P. [MD] .No.1612 of 2016

V.Muthu : Petitioner

Vs.

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

2.The Inspector of Police,
Arimalam Police Station,
Pudukottai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure and produce the person or body of the detenu, the petitioner's son namely Karuppiah, S/o.Uthaman, aged about 26 years, before this Court and set him at liberty.

For Petitioner : Mr.K.G.Arun Kumar

For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

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

The petitioner is the mother of the detenu - Karuppiah, S/o.Uthaman, aged about 26 years. She has filed the present Habeas Corpus Petition stating that her son was working as Constructor and on 24.11.2016 the second respondent took away her son forcibly for the purpose of enquiry and thereafter, he was not returned. Since the whereabouts of the detenu was not known, she has lodged a complaint to the first respondent on 26.11.2016 in person. However, no effective steps were taken to trace out the detenu so far. Hence, she has come up with the present petition.

2.The second respondent has filed a counter-affidavit stating that the detenu was arrested on 14.12.2016 in connection with a



case registered in Crime No.207 of 2016 for the offence punishable under Section 392 of the Indian Penal Code, on the file of Thirumayam Police Station, Pudukkottai District and remanded to judicial custody.

3. In the light of the counter-affidavit filed by the second respondent, we close the Habeas Corpus Petition as nothing survives for adjudication. However, the petitioner is at liberty to work out her remedy in respect of the case registered in Crime No.207 of 2016 in the manner known to law.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukkottai,
Pudukkottai District.
2. The Inspector of Police,
Arimalam Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P. [MD].No.1612 of 2016
Dated: 31.01.2017

JS/CM-MSA/09.02.2017:2P/4C