



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.[MD].No.1690 of 2016

Mayil

: Petitioner

Vs.

1.The State, rep by the Director General of Police,
DGP Office,
Tamil Nadu Police Headquarters, Chennai.

2.The Superintendent of Police,
District Superintendent of Police Office,
Virudhunagar District 626 001.

3.The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District, Virudhunagar 626 102.

4.The Inspector of Police,
Amathur Police Station,
Virudhunagar District,
Virudhunagar 626 005.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 4 to produce the body of the petitioner's husband - Packiyaraj, S/o.Nagan, aged about 32 years old, petitioner's relatives, named Kuppan @ Rajendran, S/o.Subramani, aged about 42 years old and Ammasi, S/o.Ayyakannu, aged about 39 years old and set them at liberty.

For Petitioner : Mr.R.Karunanithi

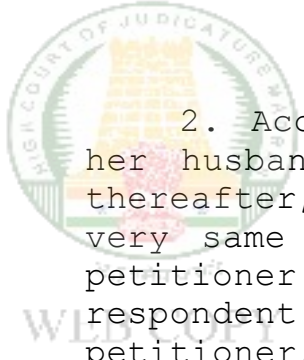
For Respondents : Mr.K.S.Duraipandian

Additional Public Prosecutor

O R D E R

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

The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's husband - Packiyaraj, S/o.Nagan, aged about 32 years, petitioner's relatives, named Kuppan @ Rajendran, S/o.Subramani, aged about 42 years and Ammasi, S/o.Ayyakannu, aged about 39 years and set them at liberty.



2. According to the petitioner, on 09.12.2016, at 09.00 AM, her husband dropped her at the agriculture fertilizer shop and thereafter, she could not find him anywhere. Subsequently, on the very same day, at 06.30 PM, the brother of the husband of the petitioner was taken by the policemen, attached to the third respondent Police Station, which was witnessed by the aunt of the petitioner, by name, Selvi. Thereafter, on 10.12.2016, at about 11.30 AM, the second detenu - Kuppan @ Rajendran was taken by the police officials, attached to the third respondent Police Station. Since their whereabouts were not know, the petitioner has come forward with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the learned Additional Public Prosecutor for the respondents submitted that on 22.12.2016, the detenu Nos.1 and 2, by name, Packiyaraj, S/o.Nagan, aged about 32 years and Kuppan @ Rajendran, S/o.Subramani, aged about 42 years were arrested by the Inspector of Police, Kayamkulam Police Station, in connection with a case in Crime No.3474 of 2016 for the alleged offence punishable under Section 401 of the Indian Penal Code and remanded to judicial custody. Subsequently, on 01.01.2017, the third detenu, by name, Ammasi, S/o.Ayyakannu, aged about 39 years, was arrested in connection with a case in Crime No.242 of 2016, by the Inspector of Police, Kareelakulangaram Police Station, for the alleged offences punishable under Sections 457, 461 and 380 of the Indian Penal Code and lodged at the Sub Jail, Maveelikara, Azhapula District.

4. In view of the above, since none of the detenus is in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Director General of Police,
DGP Office, Tamil Nadu Police Headquarters,
Tamil Nadu Police Headquarters, Chennai.

2.The Superintendent of Police,
District Superintendent of Police Office,
Virudhunagar District 626 001.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District, Virudhunagar 626 102.



4.The Inspector of Police,
Amathur Police Station,
Virudhunagar District, Virudhunagar 626 005.

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

+1 cc to MR.R.Karunanidhi,ADVOCATE, SR NO: 178

NB

sva/ss2/ksm/20.01.2017/3p/7c

ORDER MADE IN
H.C.P.[MD].No.1690 of 2016
03.01.2017