

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

and

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.No.1570/2017

Mr.Rajasekar

..Petitioner

vs.

1.The Inspector of Police,  
H-8, Police Station,  
Thiruvottriyur, Chennai-600 019.

2.Mrs.Sumathi

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus to direct the respondents to produce the detenu/petitioner's son namely Vignesh @ Jagadeeswaran aged about 24 years before this Court, he is under the illegal detention of 2<sup>nd</sup> respondent and hand over the custody of the petitioner's son to him and set him at liberty.

For petitioner : Mr.R.Nandakumar  
For Respondents : Mr.R.Ravichandran,  
GA [Crl.Side] for R1

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The relief sought for in this habeas corpus petition is for a direction to direct the respondents to produce the detenu / the petitioner's son namely Vignesh @ Jagadeeswaran aged about 24 years before this Court and set him at liberty.

2. The learned counsel appearing for the petitioner states that the detenu found missing by the writ petitioner and after, they could not able to trace out the whereabouts of the detenu.

3. The learned Government Advocate (Crl.Side) appearing on behalf of the 1<sup>st</sup> respondent/Police brought to the notice of this Court that the detenu is a chronic alcoholic and he was frequently leaving his home on account of certain mental state of mind. However, the detenu was traced out and produced before this Court on 11.10.2017. Subsequently, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, for counselling.

4. We are of the considered opinion that when the habeas

corpus petition is entertained by this Court under Article 226 of the Constitution of India and the respondent/Police produced the person or body, the relief sought for has been complied with. This apart, the character, attitude and the mental state of mind of a person cannot be adjudicated in a habeas corpus petition.

5. This Court is not for correcting the person, who is otherwise a chronic alcoholic and there are various specialised Centres/forums are available to correct such kind of persons. Thus, it is for the petitioner to take appropriate steps to correct his son and his character.

6. This being the factum of the case that the detenu had already been produced before this Court on 11.10.2017 and he was set at liberty, no further adjudication needs to be undertaken in respect of the grounds raised in this habeas corpus petition. Thus, the habeas corpus petition stands closed.

[S.M.S.,J.] [S.R.T., J.]

07.05.2018

sk/abr

Internet:yes

Index: yes

<http://www.judis.nic.in>

Speaking order

S.M.SUBRAMANIAM, J.,

AND

S.RAMATHILAGAM, J.

sk

To

1.The Inspector of Police,  
H-8, Police Station,  
Thiruvottriyur, Chennai-600 019.

2.The Public Prosecutor,  
Madras High Court,  
Chennai.



H.C.P.No.1570/2017

WEB COPY

07.05.2018