

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.1895 of 2017

M.Saraswathi

...

Petitioner

-Vs-

1.The Commissioner of Police
Chennai City, Chennai

2.The Assistant Commissioner of Police
Korattur, Chennai

3.The Inspector of Police
Law & Order
Korattur Police Station
Chennai

4.S.Sathish Kumar

5.Subramania Chettiar

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce M.Somasundaram aged 53 Son of Murugaiyan, S.Jeyanthi w/o Somasundaram, aged 44 years, Rathirupa d/o M.Somasundaram aged 20 years and Minor Suba d/o. M.Somasundaram aged 15 years from the illegal custody of respondents 4 & 5 and set them at liberty.

For Petitioner : Mr.A.Mohamed Ismail

For Respondent : Mr.V.M.R.Rajentran
A.P.P for R1 to 3

Mr.K.P.Anantha Krishnan for R4

Mr.A.Arumugam for R5

ORDER

[Order of the Court was made by N.SATHISH KUMAR, J.]

The petitioner, who is the mother of the detenu M.Somasundaram and her daughter-in-law Jeyanthi and grand children Rathirupa and Suba now minor aged 15 years, has filed this petition seeking production of her family members.

2. We have heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for respondents 1 to 3 and the learned counsel appearing for respondents 4 and 5.

3. Today, the respondent police have produced the detenu Somasundaram and his daughter Rathi Rupa. We interacted with Somasundaram and Rathi Rupa. They informed that due to some financial problems they left their native and now they have settled at Gujarat and his wife Jeyanthi and minor daughter Subha are residing with him in Gujarat. They informed in categorical terms that they left the place on their own and has not made any allegation as to the abduction as envisaged by the petitioner. The submission is recorded. As there is no illegal custody and they left on their own, this Habeas Corpus petition shall stand closed.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police
Chennai City, Chennai

2.The Assistant Commissioner of Police
Korattur, Chennai

3.The Inspector of Police
Law & Order
Korattur Police Station
Chennai

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.A.Mohammed Ismail Advocate sr 13297

H.C.P.No.1895 of 2017

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