

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2018

Coram

THE HON'BLE MR.JUSTICE C.T.SELVAM
and
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2168 of 2017

V.Siva

... Petitioner

Vs.

- 1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
2. The Assistant Commissioner of Police,
Avadi Circle,
Avadi, Chennai.
3. The Deputy Commissioner of Police,
Ambattur District,
Avadi, Chennai.
4. The State rep. by
Inspector of Police,
K.10, Thirumullaivoyal Police Station,
Thirumullaivoyal,
Chennai - 600 062.

....Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents to produce the body of the petitioner's mother Prabavathi, F/A53 years, his sister Selvi F/A 33, her husband Padmanaban, M/A45 years and their daughter Preethika, Age 16 before this Court and had over the custody of them to the petitioner.

For Petitioner : Ms.S.Sridevi
For Respondents : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by N.SATHISH KUMAR, J.)

This application has been filed for production of the detainees, namely mother of the petitioner and sister and her

family members before this Court and the allegations are mainly made against one Indhira Rani.

2. On the last hearing, we have recorded that prima facie, the complaint given by the petitioner before the respondent police appear to be false.

3. A perusal of the case files produced by the respondent police appears that on 27.06.2017, the alleged detainees have filed an application for anticipatory bail before this Court in CrI.O.P.No.11301 of 2017 and obtained orders. Subsequently, in the month of August, the detainees have filed another anticipatory bail application before this Court. It is also the contention of the learned Additional Public Prosecutor that the detainees have received huge money from various persons and only to avoid payments, they were absconding on their own. This contention cannot be ruled out at this stage.

4. These facts prima facie indicates that the allegations alleged by the petitioner in the complaint dated 18.08.2017 is nothing but false. Hence, we are of the view that this Habeas Corpus Petition cannot be entertained on the basis of the false allegations and we are inclined to dismiss this petition as not maintainable.

5. Accordingly, this Habeas Corpus Petition is dismissed as not maintainable.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

vrc

To

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Assistant Commissioner of Police,
Avadi Circle, Avadi, Chennai.

3. The Deputy Commissioner of Police,
Ambattur District,
Avadi, Chennai.

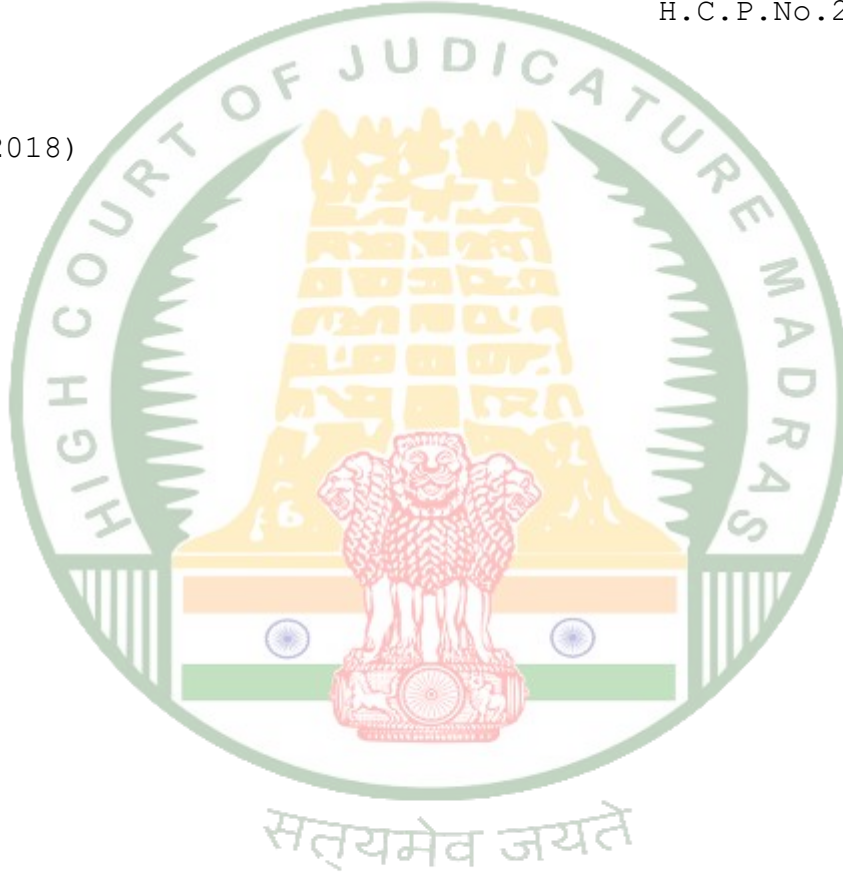
4. The Inspector of Police,
K.10, Thirumullaivoyal Police Station,
Thirumullaivoyal,
Chennai - 600 062.

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

+1cc to Mr.S.Sridevi, Advocate SR.No.8799

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NRI (CO)
GN(27/02/2018)



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