

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2018

CORAM:

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

H.C.P.No.522 of 2018

M.Sorna Mallika

... Petitioner

-Vs-

1.The Commandant,
77 Bn, CRPF,
Karaianchavadi,
Poonamallee,
Chennai-600 056.

2.The Inspector of Police,
T12 Police Station,
Trunk Road,
Poonamallee, Chennai-600 056.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the second respondent to produce the petitioner's husband S.Mahalingam, aged 57 years from the illegal custody of the first respondent and hand over to the petitioner and set at liberty.

For Petitioner : Ms.R.Meenakshi

For Respondent : R1-Mr.S.Sathish Rajan
R2-Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner, who is the wife of detenue viz., S.Mahalingam, aged 57 years, seeks production of her husband.

2. Heard learned counsel for petitioner, learned counsel for first respondent and learned Additional Public Prosecutor for second respondent.

3. This Court has thought it unnecessary to issue notice to first respondent on last hearing. The affidavit of the petitioner dated 13.03.2018 does not disclose the position that she and her son indeed had visited the CRPF quarters and met her husband.

4. Learned counsel appearing for first respondent submits that the petitioner's husband has been suspended on 09.03.2018 and in keeping with rules, presently is housed at 77 Bn, CRPF, Head Quarters, Poonamallee. It is for him to seek permission to leave Head Quarters, which till date he has not done.

5. In the above informed circumstance, this Petition does not survive consideration. Accordingly, the Habeas Corpus Petition shall stand dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kmi

To

1.The Commandant,
77 Bn, CRPF,
Karaianchavadi,
Poonamallee,
Chennai-600 056.

2.The Inspector of Police,
T12 Police Station,
Trunk Road,
Poonamallee, Chennai-600 056.

3.The Public Prosecutor,
High Court, Madras-104.

+1cc to Ms.R.Meenakshi, Advocate, S.R.No.20215

+1cc to Mr.S.Sathishrajan, Advocate, S.R.No.19642

H.C.P.No.522 of 2018

PPA(CO)
RRK(18/04/2018)