

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2018

CORAM :

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. No.934 of 2018

A.Indira

... Petitioner

Vs

1.The State Rep. By
The Inspector of Police,
Selaiyur Police Station,
Veppery, Chennai - 600 007.

2.Nammalwarpet Nadar Uravinor Aikya Sangam
Represented by its President
Mr.Kamaraj

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus, directing the 1st respondent to produce the body of petitioner's husband Alagarsamy, aged 68 years before this Court and to set him liberty.

For Petitioner : Mr.S.Sugendran

For Respondents : Mr.R.Prathap Kumar, APP for R1

O R D E R

(Order of the Court was made by DR.S.VIMALA,J.,)

This petition has been filed by wife of the detenu, seeking direction to the first respondent for production of her husband, by name, Alagarsamy, before this Court.

2. Today, the detenu is present before this Court

3. The learned counsel appearing for the petitioner submitted that based on a paper publication about the missing of Alagarsamy (detenu) by the petitioner herein, the detenu approached a lawer and appeared before this Court in person.

4. It is the case of the detenu that he joined the auction chit in the second respondent Sangam and he took the auction chit amount for the purpose of running a Finace Company, in which, the borrower did not repay the amount and hence, he faced crisis in running the business, which led hem to flee away from his house.

5. The detenu has submitted that for a sum of Rs.1,50,000/-, he had paid a sum of Rs.8 lakhs towards interest and even then, life threat is on the side of the second respondent herein and that moved him to be out his family for a period of one and half years and as his wife is a heart patient, he is not able to share this information with his wife, i.e., the petitioner herein and that made his wife to file this habeas corpus petition. The detenu has also pleaded for protection for his life at the hands of the second respondent.

5. If necessary petition/representation seeking protection is filed by the detenu herein, the first respondent or the concerned jurisdictional Police is directed to take necessary efforts for protecting the life of the detenu and to take further suitable action in the matter in accordance with law.

6. With these observations, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Selaiyur Police Station,
Veppery, Chennai - 600 007.

2.The Public Prosecutor,
Madras High Court,
Chennai - 104.

+1cc to Mr.S.Sugendran , Advocate SR.No. 49783

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ASK(14/11/2018)

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