



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2018**

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

AND

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

HCP [MD]No.381 of 2018

J.Aalan

: Petitioner

Vs.

1. The Superintendant of Police,
Kanyakumari District, Nagercoil.

2. The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram,
Kanyakumari District.

3. Andrew Prabin Sathish

4. Stalin Roy

5. Abraham (Babu)

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the corpus or body of the petitioner's father namely Justus Banuvel, S/o. James, aged 67 years before this Court by rescuing him from the illegal custody of the respondents 3 to 5 and handed over to the petitioner.

For Petitioner : Mr.G.Radhakrishnan

For R1 & R2 : Mr.K.Dinesh Babu,
Additional Public Prosecutor

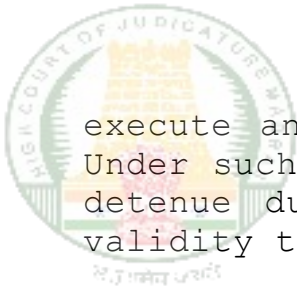
For R3 and R5 : Mr.G.Justin

ORDER

[Order of the Court was made by **S.VIMALA, J**]

This petition has been filed by petitioner/son, seeking a direction to the respondents to produce his father/ detenu, namely, Justus Banuvel, aged 67 years, before this Court and set him at liberty.

2. The learned counsel appearing on either side have submitted that the medical condition of the detenu is very serious and he is ill and he is in coma stage and he is not in a position to



execute any document or to understand anybody speaking with him. Under such circumstances, if any document is got executed from the detainee during interrogation period, it would not have the legal validity till his discharge from the hospital.

3. Recording the said submission, the petitioner is permitted to visit his father in the hospital and the hospital administration shall grant permission to the petitioner to see his father in the hospital.

4. With the above observation, this Habeas Corpus Petition is closed.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram,
Kanyakumari District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.
4. The Management,
Manipal Hospital,
Salem.

+2cc to Mr.G.Justin, Advocate Sr.No.57756

+1cc to Mr.G.Radhakrishnan, Advocate Sr.No.57779

DAS/RMI

VB/SKN/RSK/SAR1/24.04.2018/2P/8C

**ORDER MADE IN
HCP [MD]No.381 of 2018
26.03.2018**