



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 22.11.2018

DELIVERED ON : 27.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P (MD)No.1639 of 2018

S.Sitharthan

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Theppakulam Police Station,
Madurai.

2.R.Anand
3.A.Mathubala
4.Rengasubbu
5.R.Rajkumar
6.A.Gunasekaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus to direct the first respondent herein to produce the body of A.Kalarani, aged 59 years, daughter of Alagarsamy Naidu / wife of Ramachandran before this Court and set her at liberty.

For Petitioner : Mr.S.Sitharthan
Party-in-Person

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor for R.1

* * * * *

ORDER

"ONE CAN'T DEVOUR FOR OTHER'S APPETITE." That is what, the petitioner herein is sought for.

2. The petitioner, being a lawyer - an utter stranger to the detenu has approached this Court with a prayer to direct the first respondent herein to produce the body of Mrs.A.Kalarani, aged 59 years, daughter of Alagarsamy Naidu / wife of Ramachandran before this Court and set her at liberty.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Heard the submissions of the petitioner, who appeared in



person and the learned Additional Public Prosecutor appearing for the first respondent.

4. Mr.V.Neelakandan, learned Additional Public Prosecutor appearing for the first respondent, on instructions, submitted that none of the family members of the detenu has come forward to file any complaint before the first respondent police and the petitioner who is a stranger, cannot maintain this petition and hence, prayed for the dismissal of this petition.

5. A careful scrutiny of the materials available on record would clearly show that the petitioner is a stranger to the detenu and therefore, in our considered opinion, he cannot invoke the jurisdiction of this Court under Article 226 of the Constitution of India and it is a sheer waste of precious time of this Court. Though this is a fit case where exemplary costs can be imposed, we refrain from doing so.

6. In view of the above, this Habeas Corpus Petition stands dismissed.

Sd/
Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar(CS-II)

To
The Inspector of Police,
Theppakulam Police Station,
Madurai.

Copy to:
The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.SITHARTHAN, Advocate, SR.No. 97797

H.C.P(MD)No.1639 of 2018

RSB
KK/RSK/SAR-2/18.12.2018/2P-4C