



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25..06..2019

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

Habeas Corpus Petition Nos.906 to 909 of 2005

H.C.P.No.906 of 2005:

Bommi

... Petitioner

-Versus-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Santhome, Chennai.
- 3.The Commissioner of Police,
Egmore, Chennai.
- 4.The Inspector of Police,
Valasaravakkam, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu - Kuppan, Son of Chinnathambi, now detained by the respondent police from 20.08.2005, before this court and set him at liberty.

H.C.P.No.907 of 2005:

Bommi

... Petitioner

-Versus-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai.



2.The Director General of Police,
Santhome,
Chennai.

3.The Commissioner of Police,
Egmore,
Chennai.

4.The Inspector of Police,
Valasaravakkam,
Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu - Murugan, Son of Vadivelu, now detained by the respondent police from 20.08.2005, before this court and set him at liberty.

H.C.P.No.908 of 2005

Bommi

... Petitioner

-Versus-

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai.

2.The Director General of Police,
Santhome,
Chennai.

3.The Commissioner of Police,
Egmore,
Chennai.

4.The Inspector of Police,
Valasaravakkam, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu - Ramu, Son of Govindan, now detained by the respondent police from 20.08.2005, before this court and set him at liberty.



H.C.P.No.909 of 2005

Bommi

WEB COPY

-Versus-

... Petitioner

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Santhome, Chennai.
- 3.The Commissioner of Police,
Egmore, Chennai.
- 4.The Inspector of Police,
Valasaravakkam, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu - Neelakandan, Son of Balakrishnan, now detained by the respondent police from 20.08.2005, before this court and set him at liberty.

For Petitioner(s)	: Ms.Usha Ramman for petitioner in all HCPs
For Respondent(s)	: Mr.C.Iyyapparaj, APP for RR1 to 4 in all HCPs

COMMON ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

These matters have been pending for nearly 14 years. Initially, these matters were adjourned in view of the pendency of the appeals before the Hon'ble Apex Court. The Appeals were disposed of by the Hon'ble Apex Court by the following Orders:-

"We, accordingly, dispose of these appeals with liberty to the parties to appear before the High Court and apprise about the subsequent developments, which have taken place. The report of the Principal District Judge and Sessions Judge, Chengalpattu, which was summoned by this court, be sent back to the High Court.



8. Both the parties are free to raise all contentions before the High Court."

2. The learned counsel for the petitioner in all these petitions submitted that he does not have any instructions about the subsequent developments made. However, the learned Additional Public Prosecutor, on instructions, submitted that these petitions have been filed on the wrong factual premises that the detentions have been made without even registering the complaints. However, the complaints were registered, thereafter, the detenus were arrested and remanded to judicial custody. Subsequently, the criminal cases had been closed for want of jurisdiction and as a consequence the detenus were set at large.

3. In view of the aforesaid submissions made by the learned Additional Public Prosecutor, nothing survives for adjudication in these Habeas Corpus Petitions and the same are accordingly closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Secretary, Home Department,
Fort St. George, Chennai.
- 2.The Director General of Police,
Santhome, Chennai.
- 3.The Commissioner of Police,
Egmore, Chennai.
- 4.The Inspector of Police,
Valasaravakkam, Chennai.

H.C.P.Nos.906 of 909 of 2005

VG II(CO)

RRS(01/08/2019)