

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.261 of 2019

S.Syed Abu Thahir Petitioner

Vs.

1.The Inspector of Police,
J-3 Guindy Police Station,
Guindy, Chennai - 32.

2.Kamali Kadhir

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct respondents to produce the body of the petitioner's Nephew Hisam Ahamed aged 16 years illegally detained and set him at liberty.

For Petitioner.. Mr.A.E.Lakshminarayan

For R1 .. Mr.R.Prathapkumar,
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner is the Nephew of the detenu - Hisam Ahamed aged 16 years. This petition has been filed by him seeking a direction to the respondents for production of the detenu and set him at liberty.

2. Considering the peculiar facts governing, which we do not want to record before us, we sought for the assistance of the District Legal Service Authority. Accordingly, Mr.K.Rajasekar, Member Secretary, Tamil Nadu State Legal Services Authority and Dr.J.Jayanthi, Secretary, District Legal Services Authority had done a commendable job.

3. Today, it is informed that a sum of Rs.5,00,000/- (Rupees Five Lakhs only) has been deposited by the petitioner in the name of the minor child with the 2nd respondent as the guardian. We make it clear that the 2nd respondent shall not withdraw the aforesaid amount, but, can only withdraw the accrued interest once in a three months for the benefit and maintenance of the minor child. In as much as the detenu has rejoined the petitioner, no further order is required in this matter, while we place on record the excellent assistance rendered as aforesaid. We further call upon the District Legal Services Authority to take appropriate steps towards finding a job for the 2nd respondent. This Habeas Corpus Petition is disposed of accordingly with the above directions.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmk/smv
To,

- 1.The Inspector of Police,
J-3 Guindy Police Station,
Guindy, Chennai - 32.
- 2.The secretary,
The District Legal Services Authority,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.E.Lakshminarayanan, Advocate Sr.55856

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srg 16/08/2019