

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP.No.486 of 2019

Tamil Selvi

Petitioner

Versus

1.The Superintendent of Police,
Vellore District, Vellore.

2.The Superintendent of Central Prison,
Salem Central Jail,
Salem District.

3.The Inspector of Police,
Kadpadi Police Station,
Vellore District.

Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents to produce the detenue Kuppan @ Sathish, son of Panai, 30 years, now illegally detained by the third respondent herein, before this Court and set him at liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.C.Iyyappa Raj,
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

Mr.R.Sankarasubbu, learned counsel appearing for the petitioner would submit that Son of the petitioner namely Kuppan @ Sathish was arrested in a murder case in the year 2017 and when he came out on bail from the Central Prison, Salem, he was taken by some unknown persons right on the prison gate and apprehending illegal detention and concern about the safety of the detenu, the present Habeas Corpus Petition has been filed.

2. When the matter was listed on 06.03.2019, this Court has ordered notice.

3. The matter is listed today and Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing for the State, on instructions, would submit that the detenu, namely Kuppan @ Sathish was arrested on 28.02.2019, in connection with the case in Crime No.6 of 2019 registered by Kavalur Police Station for the commission of offences under Sections 397, 307 & 120(b) IPC and he was produced before the Judicial Magistrate and was remanded to judicial custody and at present, he is confined at Central Prison, Vellore. He would further add

that arrest intimation was also given to the brother of the detenu, namely Saravanan.

4. Mr.R.Sankarasubbu, learned counsel appearing for the petitioner would submit that in the light of the said development, the detenu may be permitted to avail the legal remedy open to him

5. In the light of the said development, nothing remains for further adjudication in this Habeas Corpus Petition and accordingly, it is closed. However, if it is open to the petitioner, he is also at liberty to avail all the legal avenues open to him and to work out his further remedy in accordance with law before the competent forum.

[M.S.N., J] [M.N.K., J]
13.03.2019

Internet : Yes/No

Index : Yes/No

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To

1.The Superintendent of Police,
Vellore District, Vellore.

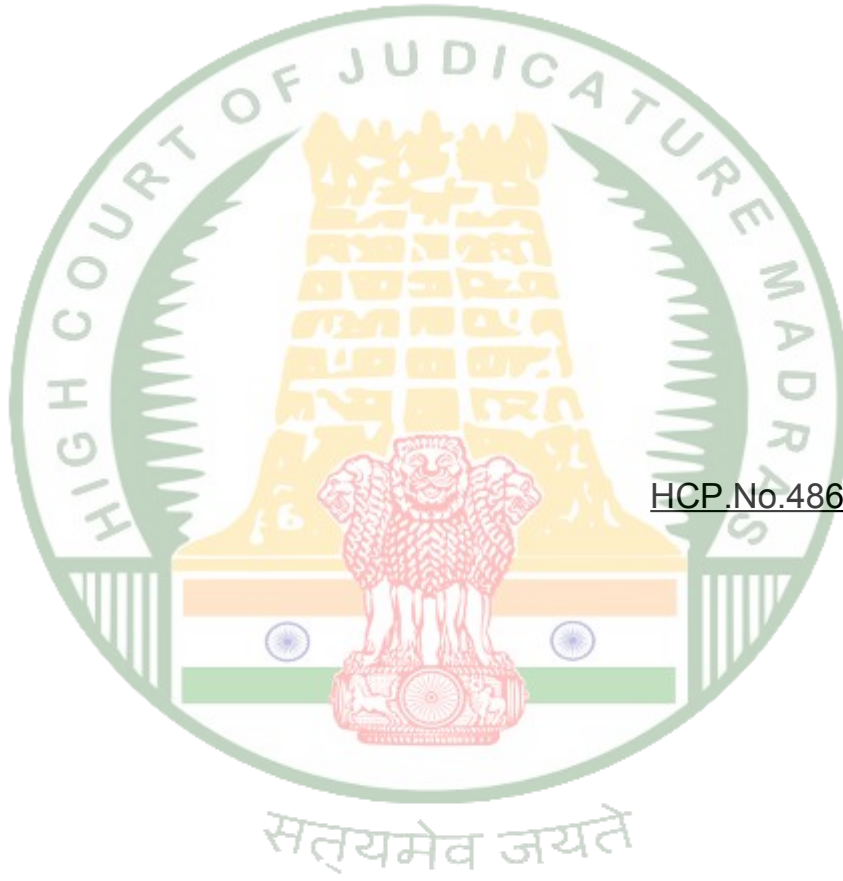
2.The Superintendent of Central Prison,
Salem Central Jail, Salem District.

3.The Inspector of Police,
Kadpadi Police Station, Vellore District.

4.The Public Prosecutor
High Court, Madras.

M.SATHYANARAYANAN, J.,
AND
M.NIRMAL KUMAR, J.,

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