

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29..07..2019
CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice M.NIRMAL KUMAR

Habeas Corpus Petition No.830 of 2019

Jothi

... Petitioner

-Versus-

- 1.The Commissioner of Police,
Chennai City,
Vepery, Chennai 600 007.
- 2.The Inspector of Police,
C-5, Kothavalchavadi Police Station (Crime),
Chennai 600001.
- 3.The Inspector of Police,
Eslpanade Police Station,
Chennai.

[3rd respondent was suo motu impleaded as per
the order of this court dated 28.06.2019 made in
H.C.P.No.830 of 2019]

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the 2nd respondent to produce the body or person of the detenu namely Kolanji @ Ramkumar, aged about 38 years, Son of Krishnakumar, before this court and set him at liberty.

For Petitioner : Mr.S.Sankar

For Respondent : Mr.C.Iyyappa Raj, APP for
RR1 to 3

ORDER

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

The petitioner is the mother-in-law of the detenu - Kolanji @ Ramkumar. She has come up with this seeking a direction to the respondents to produce the detenu before this court.

2. Today, the petitioner, detenu and the children of the detenu by name (1) K.Sakthi, aged 10 years and (2) K.Velmurugan, aged 8 years, are present. It appears that both the petitioner, who is the maternal grand mother and the detenu, who is the father of the children, are unable to take care of the children. The children are living, at present, in a private home namely, Street Vision Care Home at Mugappair in Chennai. They are also attending school from the private home.

3. Considering the above, we had earlier called the Member Secretary, The Tamil Nadu State Legal Services Authority and the Secretary, District Legal Services Authority, Chennai, to assist this court. Today, they have informed us that for the upcoming of the children and educational expenses steps would be taken as and when the parties approach them.

4. In the light of the above, we are inclined to allow the children to continue in the same place where they are now living. The children appear to be very comfortable in the said place. They are also attending school from the above said private home. The detenu also informed us that he will make frequent visit to them. The petitioner has also informed us that she will also do the same.

5. In view of the above, we do not find any reason to pass any further orders in this petition and this Habeas Corpus Petition stands dismissed accordingly with the above observations.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police, Chennai City,
Vepery, Chennai 600 007.

2.The Inspector of Police,
C-5, Kothavalchavadi Police Station (Crime), Chennai 600001.

3.The Inspector of Police,
Eslpanade Police Station, Chennai.

4.The Public Prosecutor, High Court of Madras.

AKM/06.09.19/2P-5C /

H.C.P.No.830 of 2019