

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 1866 of 2019

P.Surya

... Petitioner

-vs-

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

2.The Inspector of Police,
Kariyamangalam Police Station,
Kariyamangalam,
Dharmapuri District.

3.Mani

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the second respondent police to produce the petitioner's mother namely Janaki alias Roja, who is aged about 37 years, before this Court from the illegal custody of the third respondent and set her at liberty.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor for
R1,R2

ORDER

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

Seeking a direction to the second respondent police to produce the petitioner's mother namely Janaki alias Roja, who is aged about 37 years, before this Court from the illegal custody of the third respondent and set her at liberty, the present Habeas Corpus Petition has been filed.

2. The petitioner being the son of the detenu has come forward to file this writ petition on the premise that she is in the illegal custody of the third respondent.

3. From the submission of the learned Additional Public Prosecutor, it is clear that the detenu has been living with the third respondent for the past two years. Earlier in the State of Karnataka, a complaint has been given in Cr.No.240 of 2017 by the petitioner which was closed after due enquiry. In the enquiry, the detenu has stated that she and the third respondent are living together. Even on 12.09.2019, the petitioner has reiterated the aforesaid fact.

4. In the aforesaid statement, the petitioner has stated that the detenu is living with the third respondent. Thus, we do not find any illegal detention involved in this case.

5. In such view of the matter, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
Kariyamangalam Police Station,
Kariyamangalam,
Dharmapuri District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Gopalakrishnan, Advocate SR.78680

H.C.P. No. 1866 of 2019

KK (CO)
CB (04/11/2019)