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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2019

Coram

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

H.C.P. No. 2597 of 2019

Bhuvan Kumar

... Petitioner

-vs-

1.The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai - 600 007.

2.The Deputy Commissioner of Police,
Arunachalam Salai,
Chindadiripet,
Chennai - 600 007.

3.The Assistant Commissioner of Police,
Wallajah Road,
Triplicane(Behind D1 Police Station),
Chennai - 600 005.

4.The Inspector of Police,
D.1, Triplicane Police Station,
Chennai - 600 005.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to produce the detenu Bhaskar Kumar, son of Samjay Mandal, now confined at Kolkata Prison, before this Court and set him at liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor



ORDER

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

Seeking a direction to the respondents to produce the detenu Bhaskar Kumar, son of Samjay Mandal, now confined at Kolkata Prison, before this Court and to set him at liberty, the present Habeas Corpus Petition has been filed.

2.After considering the submissions made by the learned counsel of the petitioner, we directed the learned Additional Public Prosecutor to take appropriate steps and file a status report. This is the case where the detenu was arrested and granted bail in the State of West Bengal. The detenu was accordingly not arrested in the case registered by the Triplicane Police Station in Crime No.105 of 2019 for the offence under Sections 224 and 353 IPC as the P.T. warrant given to the Dum Dum Central Correctional Home, Kolkata is still pending.

3.Now, the P.T. warrant is again received from the II Metropolitan Magistrate on 22.11.2019 for the production of the detenu on or before 13.12.2019. Accordingly, a team of police personnel is likely to reach Kolkata on 28.11.2019. In this connection, we would like to record the following paragraph in the status report:

8.It is submitted that PT warrant is again received from the II Metropolitan Magistrate on 22.11.2019 that the accused should be produced before the Court on or before 13.12.2019. Thus, a team with one Sub Inspector and 6 other ranks are heading towards Dum Dum Central Correctional Home, Kolkata on 28.11.2019.

4.Learned counsel appearing for the petitioner submitted that in the event of the respondents securing the detenu, he shall not be kept in custody by the police for more than 24 hours.

5.Learned Additional Public Prosecutor also assured that the detenu will not be kept in custody for more than 24 hours after he has been secured and on his arrival to Chennai. The aforesaid statement stands recorded.

6.In such view of the matter, the habeas corpus petition stands disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar



mmi/ssm

To

- 1.The Commissioner of Police,
No.132, Commissioner Office Building,
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Chennai - 600 005.
 - 4.The Inspector of Police,
D.1, Triplicane Police Station,
Chennai - 600 005.
 - 5.The Public Prosecutor,
High Court, Madras.
- +2ccs to Mr.R.Sankarasubbu , Advocate SR.No. 98479
H.C.P. No. 2597 of 2019
A.SK(06/01/2020)