

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 09.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2629 of 2019

K.Meenatchi

... Petitioner

versus

1.State rep. by its
Commissioner of Police,
Tirupur District.

2.The Inspector of Police,
Thirumuruganpoondi Police Station,
Tirupur District.

3.Sundari

4.Mathan

5.Lakshmi Ammal

6.Babu

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondents 1 to 2 to produce bodies of the petitioner's parents and brother by names (1) Karikala @ Karikala Peruvalan @ Kari (58 years) son of Kannan (2) Smt.Bhuvaneshwari (aged 55 years) wife of Karikala @ Karikala Peruvalan @ Kari (3) Mr.Suresh son of Karikala @ Karikala Peruvalan @ Kari aged about 32 years respectively before this Court and set the petitioner's at liberties forthwith.

For Petitioner : Mr.P.Kalimuthu

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

O R D E R

(Order of this Court was made by R.SUBBIAH,J.)

This Habeas Corpus Petition has been filed for a direction to produce the detenues, namely, (1)Karikala @ Karikala Peruvalan @ Kari, (2)Bhuvaneshwari and (3)Suresh, aged 58, 55 & 32 years respectively before this Court and set them at liberty.

2.The above detenues are father, mother and brother of the petitioner respectively. The petitioner has stated in the affidavit filed in support of this petition that her father and brother were running a Finance Firm under the name and style of M/s.SM.A. Traders and during the course of the above said finance business, several local persons have joined as monthly chit subscribers and his father used to disburse their accrued amounts with benefits at the time of every Deepavali Festival. While so, in the month of October 2019, the petitioner came to know that respondents 3 to 6 and some other local chit subscribers were not disbursed with their chit amounts with benefits during the past Deepavali season. Therefore, her parents and brother were kidnapped and illegally detained by the above said local chit subscribers viz. respondents 3 to 6. Immediately, on 14.11.2019, she lodged a complaint before the second respondent police. Since the police has not taken any action, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detenues and the petitioner are present before this Court.

4.Learned Additional Public Prosecutor appearing for respondents 1 and 2 would submit that a criminal case has been registered against the detenues in Crime No.610 of 2019 for the offence under Section 420 of I.P.C. before the Velampalayam Police Station as they were not in a position to settle the chit amounts to the subscribers.

5. The detenues, who are produced before this Court, would submit that they were not under illegal custody with anyone and on their own volition, they left their residence.

6.In view of the submission made by the detenues to the effect that they were not under illegal detention, nothing survives for further adjudication in this Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

vga

To

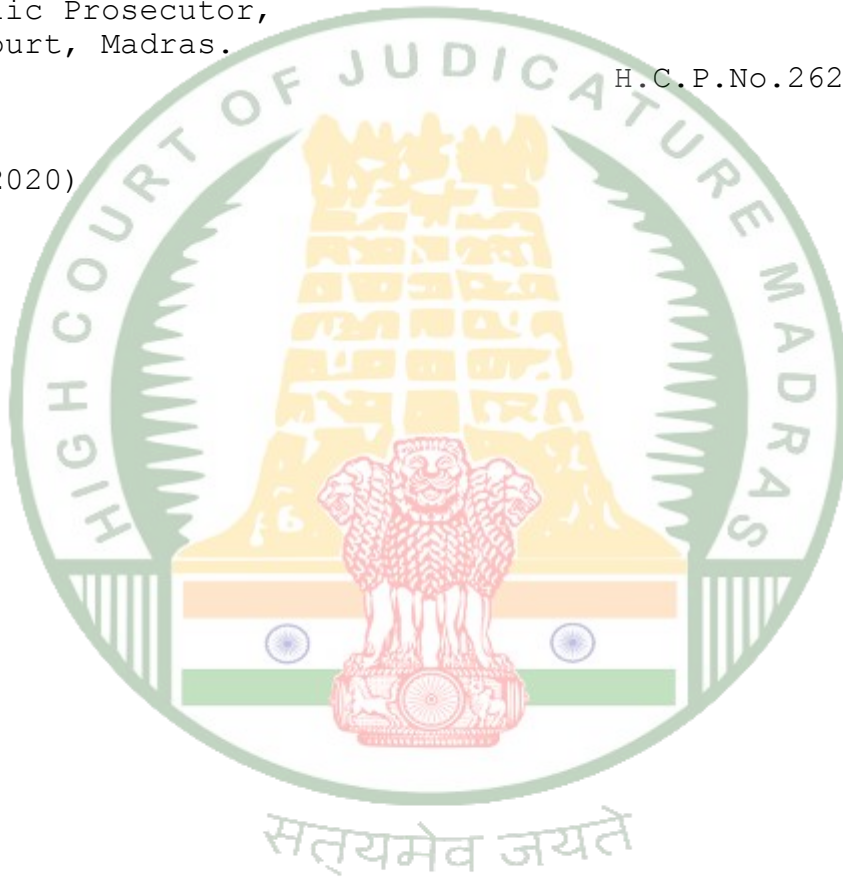
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High Court, Madras.

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BP(CO)
CB(10/02/2020)



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