



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

H.C.P(MD)No. 615 of 2019

K. Mariyayi

...Petitioner

Vs.

1. The Superintendent of Police,
Karur District.

2. The Inspector of Police,
Balaviduthi Police Station,
Kuzhithalai, Kadavur Taluk,
Karur District.

3. Murugan

4. Nallappan

5. Muniyappan

....Respondents

PRAYER: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the respondents-1 & 2 to produce the body of person of the detainee namely; Kalimuthu S/o.Karuppan Servai, aged about 38 years before this Court and set him at liberty.

For Petitioner

: Mr.K.C. Ramalinggam

For Respondents-1 & 2

: Mr.K.Dinesh Babu

Additional Public Prosecutor

For Respondents-3 to 5

: No Appearance

O R D E R

This Habeas Corpus Petition is filed to direct respondents-1 & 2 to produce the body or person of the detainee before this Court.

2. Today, when the matter is taken up for hearing, the detainee was produced before this Court and we examined the detainee.



3. The detainee states that he was kidnapped by respondents-3 to 5 and was kept at Gopichettipalayam and his valuables has been taken away. He further stated that he wants to go along with his wife who is the petitioner in this petition.

4. Recording the aforesaid statement made by the detainee, the detainee, namely; Kalimuthu S/o.Karuppan Servai, aged about 38 years is permitted to go along with peittitioner.

5. The second respondent/Inspector of Police, Balaviduthi Police Station, Kuzhithalai has already registered a man missing First Information Report in Crime No.121 of 2019 on 17.08.2019. The second respondent/Inspector of police is directed to take a statement from the detainee and alter the First Information Report by adding the appropriate offences and proceed further with the investigation in accordance with law.

6. Accordingly, the Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police,
Karur District.
2. The Inspector of Police,
Balaviduthi Police Station,
Kuzhithalai, Kadavur Taluk,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.C. RAMALINGAM, Advocate (SR-85346[F] dated
05/09/2019)

ORDER MADE IN
H.C.P (MD) No. 615 of 2019
05.09.2019

KM/ (25.09.2019) 2P 5C