



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

H.C.P. (MD) No.981 of 2019

Sridhar ... Petitioner/Brother-in-law of the Detenue

-vs-

1.The Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.

2.The District Magistrate cum District Collector,
Dindigul District,
Dindigul.

3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

4.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(Crime No.147 of 2019)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce petitioner's Brother-in-law's body and person namely Manoj Kumar S/o. Rasu Thevar, aged 28 years (TPDA 6867) and issue a direction directing the Respondents to temporarily release Petitioner's Brother-in-Law namely Manoj Kumar S/o. Rasu Thevar, aged 28 years (TPDA 6867) for attending his father namely Rasu Thevar's funeral function on 25.09.2019 at Surakkapatti for the period of one week.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor



O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.R.Venkatesan, learned counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents.

2.The petitioner is the brother-in-law of the detenu Mr.Manoj Kumar S/o. Rasu Thevar, who has been detained under Section 3(1) of Act 14 of 1982 and lodged in the Madurai Central Prison. The detenu's father Rasu Thevar died on 24.09.2019 and the detenu is to perform the last rites. Therefore, this Habeas Corpus Petition has been filed to direct the respondents to temporarily release the detenu to attend his father's funeral on 25.09.2019 (today).

3.Considering the facts of case and the circumstances pleaded in the petition and the prosecution having verified and confirmed of the demise of the detenu's father, we direct the temporary release of the detenu Manoj Kumar S/o. Rasu Thevar, aged about 28 years (TPDA 6867) today (25.09.2019) by 4.00 p.m. and the detenu has to come back and report to the Central Prison not later than 5.00 p.m. on 29.09.2019.

4.With the above direction, the Habeas Corpus Petition stands disposed of. For reporting compliance, call on 30.09.2019.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

1.The Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.

2.The District Magistrate cum District Collector,
Dindigul District,
Dindigul.



3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

4.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.VENKATESAN, Advocate (SR-89340[F] dated 25/09/2019)

H.C.P. (MD) No.981 of 2019
25.09.2019

JMN(25.09.2019) 3P : 7C