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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2019

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

H.C.P(MD)No.1009 of 2019

Jothi

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Alagar Kovil Road,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus to direct the respondents to produce the detenu, namely, Rajesh, son of Murugan, aged 31 years - the petitioner's husband, before this Court and set him at liberty.

For Petitioner : Mr.R.Balamuruganantham

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

* * * * *

ORDER

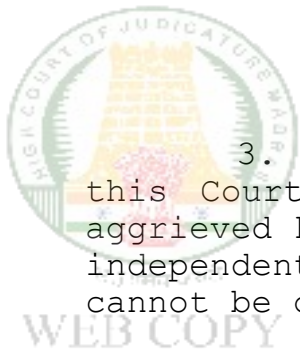
S.VAIDYANATHAN, J.

AND

N.ANAND VENKATESH, J.

This Habeas Corpus Petition has been filed alleging that the husband of the petitioner has been illegally detained by the second respondent police for the last five days.

2. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the husband of the petitioner is an accused in Cr.No.215 of 2019 for the offences under Sections 454 and 380 I.P.C., and he has been arrested and taken to the learned Judicial Magistrate No.6, Madurai, today, to seek for judicial custody. He further submitted that the husband of the petitioner is involved in four previous cases of similar nature and in this case, 24 ½ sovereigns of gold was also recovered from the husband of the petitioner, after his arrest.



3. In view of the above, no further orders can be passed by this Court in this Habeas Corpus Petition. If the petitioner is aggrieved by the action of the second respondent police, she has to independently pursue her remedy in accordance with law and the same cannot be dealt with by this Court in this Habeas Corpus Petition.

4. In the result, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (Ad-I)

// True Copy //

Sub Assistant Registrar(CS)

rsb

To

1.The Commissioner of Police,
Madurai City,
Alagar Kovil Road,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.

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

+1 CC to Mr.R.BALAMURUGANATHAM, Advocate SR-90804.

H.C.P (MD)No.1009 of 2019
01.10.2019

CS (17.10.2019) 2P 5C