



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P.[MD]No.1138 of 2019

WEB COPY

Krishnammal

: Petitioner/Mother of the detenu

Vs.

1.The State Rep. by,
The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police (L & O),
Sankarankovil Town Police Station,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Habeas Corpus, directing the respondents to produce the petitioner's son namely Sathishkumar @ Mariyaraj, son of Chellathurai aged 27 years before this Court, who is confined at Central Prison, Palayamkottai in connection with Crime No.447 of 2019 on the file of the second respondent and set him at liberty.

For Petitioner : Mr.M.Ramu

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.M.Ramu, learned Counsel appearing on behalf of the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor, accepting notice on behalf of the respondents.

2.As admitted by the petitioner, it is evidently clear that the petitioner is aware that her son is involved in a criminal case and has been arrested in Crime No.447 of 2019 and was produced before the learned Judicial Magistrate, Sankarankovil and has been remanded to judicial custody.

3.The case of the petitioner is that the name of the alleged complainant is one Paramasivam, who appeared before the learned Magistrate, and stated that he has not preferred any complaint. In the given facts, it cannot be stated that the son of the petitioner



is in illegal detention. Therefore, we cannot entertain this Habeas Corpus Petition. However, the facts which have been placed before us in this petition can very well be placed before the learned Magistrate.

4. Accordingly, this Habeas Corpus Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

MR

To

1. The Judicial Magistrate
Sankarankovil
2. The Superintendent of Police,
State of Tamil Nadu,
Tirunelveli District, Tirunelveli.
3. The Inspector of Police (L & O),
Sankarankovil Town Police Station,
Tirunelveli District.
4. The Superintendent of Police,
Central Prison, Palayamkottai
5. The Additional Public Prosecutor,
Madurai bench of Madras High Court, Madurai

+1 CC to MR.M.RAMU, Advocate (SR-94519[F] dated 25/10/2019)

Order made in

H.C.P. [MD]No.1138 of 2019

Dated: 25.10.2019

MK (20.11.2019) 2P 7C