

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P.No.2159 of 2020

Kanagaraj

..Petitioner

Vs.

1.The State, represented by
The Inspector of Police,
Velampalayam Police Station,
Thirupur District.

2.The Superintendent of Police,
District Police Office,
Ageripalayam Main Road,
Tiruppur, Tamil Nadu 641 603.

3.Sekar

.. Respondents

PRAYER: Petition is 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 brother's son of the petitioner Vigneshkumar, 23 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.R.Muthukumar

For Respondents : Mr.R. Prathap Kumar

Addl. Public Prosecutor for R1 & R2

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is the small father of the detenu viz., Vigneshkumar, 23 years, has filed this petition inter alia alleging that he is under the illegal custody and detention of the third respondent.

2.From the Status Report filed by the first respondent, it appears that the detenu was having illicit relationship with the wife of third respondent. The complaint also implicates the third respondent. The suspicion points out to third respondent.

3.In such view of the matter, we direct the second respondent to transfer the investigation from the first respondent to some other office on the rank of Assistant Commissioner of Police in the same division. Such transfer will have to be done within a period of two weeks from the date of receipt of a copy of this order. After transfer is effected, the subsequent Investigation Officer shall make all endeavour to trace and secure the detainee-Vigneshkumar. Accordingly, the habeas corpus petition stands closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

raa

To

- 1.The Inspector of Police,
Velampalayam Police Station,
Thirupur District.
- 2.The Superintendent of Police,
District Police Office,
Ageripalayam Main Road,
Tiruppur, Tamil Nadu 641 603.
- 3.The Public Prosecutor,
High Court, Madras.

HCP No.2159 of 2020

GJ(CO)
SP(06/01/2021)

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