

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2020

CORAM

THE HONOURABLE MR. JUSTICE R. SUBBIAH

and

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

Habeas Corpus Petition No. 2890 of 2019

P. Angulakshmi

... Petitioner

Versus

1. State represented by
The Superintendent of Police
Erode District, Erode

2. The Inspector of Police
Town Police Station
Erode, Erode District

3. Nithyananda
Dhyanapeetam
Nithyanandapuri
Kallugopahalli
Mysore Road, Bidadi - 562 109
Bangalore, Karnataka Sta

... Respondents

Habeas Corpus Petition filed under Article 226 of The Constitution of India praying to direct the respondents 1 and 2 to bring and produce the detenu by name P. Muruganandam (now Sri Nithya Prananda) aged about 39 years before this Court from the illegal custody of the third respondent and hand over to the petitioner.

For Petitioner

: Mr. C. Prakasam

For Respondents

: Mr. R. Prathap Kumar

Additional Public Prosecutor

Mr. S. Kamala Kannan for Detenu

ORDER

(Order of the Court was made by R. Subbiah, J)

The petitioner, who is the mother of detenu by name P. Muruganandam (now Sri Nithya Prananda) has come forward with this Habeas Corpus Petition seeking a direction to the respondents 1 and 2 to produce the detenu from the illegal custody of the third respondent.

2. In the affidavit filed in support of the Habeas Corpus Petition, the petitioner has stated that her son is a Dentist by profession and he was practicing as Dentist in Erode District. Further, his son is a bachelor and remain unmarried. In the year 2003, her son went to Bangalore for starting a clinic and at that time, he had frequently visited the Dhyanapeetam of the third respondent. It is the contention of the petitioner that the third respondent influenced her son to stay with him and owing to his continued stay with the third respondent, the petitioner snapped all his contact with the petitioner and her relatives. Therefore, the petitioner along with her husband went to Bangalore and with great difficulty convinced him and brought him back to Erode where he continued his practice as a Dentist for six months. However, once again, the third respondent mind boggled her son and taken him to the Dhyanapeetam. Thereafter, the attempts made by the petitioner and her husband to bring back the petitioner to his native town failed especially the petitioner and her husband were not allowed by the third respondent to meet their son. While so, the husband of the petitioner died and there was no one to look after the petitioner. The apprehension of the petitioner is that she came to know that the inmates of the Dhyanapeetam run by the third respondent were severely beaten and some have died under mysterious circumstances. While so, in order to meet her son, the petitioner once again made attempts but in vain. According to the petitioner, the third respondent did not allow the petitioner to meet her son. The petitioner is clueless as to whether her son is alive or not. According to the petitioner, her son is in illegal custody of the third respondent and his life is in danger. Therefore, the petitioner approached the respondents 1 and 2 with a complaint praying to rescue her son from the illegal custody of the third respondent, but no action has been taken, hence, the present petition is filed.

3. When the Habeas Corpus Petition was taken up for hearing on 20.12.2019, the learned Additional Public Prosecutor was directed to get instructions. Today, when the Habeas Corpus Petition is taken up for hearing, the detenu is present before us and he is also represented by a counsel. The Petitioner is also present. We have heard the respective counsel on either side. We have also enquired the detenu and the petitioner, mother of the detenu. The detenu has stated that he is leading an independent life of his own without being influenced by any one. He also denied that he is under the illegal custody of the third respondent, as alleged by the petitioner.

4. Having regard to the above submission of the detenu on being produced before this Court, we are of the view that the detenu is not in illegal custody of the third respondent as claimed by the petitioner. Therefore, no further order is necessary to be passed in this Habeas Corpus Petition.

5. Accordingly, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CS-VI)

// True Copy//

Sub Assistant Registrar

rsh

To

1. The Superintendent of Police
Erode District, Erode
2. The Inspector of Police
Town Police Station
Erode, Erode District.

+1cc to Mr.C.Prakasam, Advocate, SR.No.1997.

HCP No. 2890 of 2019

CP(CO)
CSR: 07.02.2020

सत्यमेव जयते

WEB COPY