

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2883 of 2019

Sumathi

... Petitioner

Vs

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
 2. The Inspector of Police,
Kacharapalayam Police Station,
Kacharapalayam, Kallakurichi District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce the body or person of Manimegalai, aged 22 years, Murugan, aged 31 years and Minor Arjun, aged 6 years - the detainees, who are under the illegal custody of the second respondent before this Court and set them at liberty.

For Petitioner : M/s.T.R.Udaya Kumar
For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the second respondent to produce the body or person of Manimegalai, aged 22 years, Murugan, aged 31 years and Minor Arjun, aged 6 years - the detainees, who are under the illegal custody of the second respondent before this Court and set them at liberty.

2. It is stated that on 14.12.2019 around 10:30 p.m. about 10 police men came inside the petitioner's house and started breaking all the utensils and threw all the clothes in the road under the guise of search. When the petitioner questioned the police men about their action, they abused the petitioner and

her family and dragged the petitioner's daughter Manimegalai, her son-in-law Murugan, and grand son Arjun and forcibly took them to an undisclosed place. The petitioner went to the police station to know the whereabouts of her daughter, son-in-law and grandson, but she was not even allowed to go inside the station. The petitioner gave a representation to the respondents on 17.12.2019, but till now no action has been taken. Hence this petition.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner's son-in-law Murugan is remanded under the judicial custody in Crime No.353 of 2019 and 430 of 2019 for offences under Sections 457 & 380 of IPC and so far as the petitioner's daughter Manimegalai and her grand son Arjun are concerned, they are staying in their relatives house at Kallakurichi.

4. In view of the submission made by the learned Additional Public Prosecutor, nothing survives for further adjudication. Accordingly, the Habeas Corpus Petition stands closed.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

dpq

To

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Kacharapalayam Police Station,
Kacharapalayam, Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.T.R. Udaya Kumar, Advocate sr 313.

H.C.P.No.2883 of 2019

PA(CO)
SP(02/03/2020)