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H.C.P.(MD) No.600 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.600 of 2020

S.Velumani

... Petitioner

-VS-

1.The Commissioner of Police,
Madurai City,
Madurai - 625 002.

2.The Inspector of Police,
C5, Karimedu Police Station,
Madurai City,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the petitioner's maternal uncle's, son Muthukrishnan son of Muniappan, aged about 47 years before this Court and set him at liberty.

For Petitioner	:	Mr.A.G.Senthilkumar
For Respondents	:	Mr.V.Neelakandan Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

Heard Mr.A.G.Senthilkumar learned counsel for the petitioner and Mr.V.Neelakandan, learned Additional Public Prosecutor for the respondents and perused the materials available on record.

2.The present habeas corpus petition has been filed seeking a direction to the respondents to produce the petitioner's maternal uncle's son Muthukrishnan son of Muniappan, aged about 47 years before this Court and set him at liberty.

3.It is the case of the petitioner that his sister Meenakshi has married the detenu Muthukrishnan, who happened to be the son of maternal uncle of the petitioner. It is alleged that his sister has developed illicit intimacy with one Venkatesh Suriya and hence, his brother-in-law has filed HMOP No.274 of 2020 for divorce before the Family Court, Madurai. It is further contended by the petitioner



that his brother-in-law has been missing on 29.07.2020. Despite the complaint through e-mail on 01.08.2020, no action has been taken.

4.Mr.V.Neelakandan, learned Additional Public Prosecutor appearing for the respondents would state that the detenu Muthukrishnan is taking treatment at De-addiction Centre, namely, Neurotic Addiction Psychosis Hospice at Madurai. It is further stated that the petitioner's sister Meenakshi appeared before the second respondent and gave statement to that effect. The said statement of Meenakshi and the certificate issued by the De-Addiction Centre dated 21.08.2020 are placed for perusal of this Court. Hence, we find no merits in the case of the petitioner.

5.In fine, this Habeas Corpus Petition is dismissed. It is made clear that if the petitioner has any grievance against Venkatesh Suriya, he can make complaint to the appropriate authority for necessary action.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Commissioner of Police,
Madurai City,
Madurai - 625 002.
- 2.The Inspector of Police,
C5, Karimedu Police Station,
Madurai City,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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