



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.09.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM  
and  
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

**H.C.P. (MD) No.560 of 2020**

M.Latha ... Petitioner/Wife of the detenu

-vs-

- 1.The Secretary,  
O/o.The External Affairs Department,  
External Affairs Department,  
New Delhi.
- 2.The Secretary,  
O/o.The Overseas Indian Affairs Department,  
The Overseas Indian Affairs Department,  
New Delhi.
- 3.The Home Secretary,  
Home Department,  
Fort St. George,  
Chennai-600 009.
- 4.The Public Secretary,  
Public (Rehabilitation-1) Department,  
Secretariat,  
Chennai.
- 5.The Principal Secretary,  
Commissioner of Rehabilitation and Welfare of Non-Resident Tamils  
Chennai-600 005.
- 6.The Consul General  
Consulate General of Malaysia  
No.7, Old No.3, Cenotaph Road,  
Seethammal Extension,  
Teynampet,  
Chennai-600 018.



7.The District Collector,  
O/o.District Collector,  
Trichy.

8.The Superintendent of Police,  
O/o.Superintendent of Police,  
Trichy District.

9.The Inspector of Police,  
Thiruverambur Police Station,  
Trichy District.

10.Sahul Hammed,  
Indian Jewellery,  
Brikfields,  
Kualalumpur,  
Malaysia.

11.Lukman,  
S/o.Sahul Hameed,  
Indian Jewellery,  
Brikfields,  
Kualalumpur,  
Malaysia.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents Nos.1 to 8 to produce the person or the body of Detenu namely, Marudhu (Indian Passport No.L9317588) aged about 47 years son of Thakshnamoorthy before this Hon'ble Court and set him at liberty.

For Petitioner: Mr.S.Vanchinathan

For R1 & R2 : Mrs.S.Ragaventhree  
Central Government Standing Counsel

For R3 to R9 : Mr.V.Neelakandan,  
Additional Public Prosecutor

### **O R D E R**

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

This habeas corpus petition has been filed seeking a direction to the respondents 1 to 8 to produce the petitioner's husband, namely, Marudhu, aged about 47 years Son of Thakshnamoorthy before this Court and set him at liberty.



2. When the matter is taken up for hearing, Mrs.S.Ragaventhree, learned Central Government Standing Counsel appearing for the respondents 1 & 2, would submit that the detenu was working in the jewellery shop owned by the 10<sup>th</sup> respondent and on the basis of the complaint given by him, a criminal case has been registered against the detenu for misappropriation of 400 grams of gold jewels. It is further submitted that the police in Kuala Lumpur is investigating the crime and the first respondent is monitoring the same. A status report to that effect has been filed by the first respondent.

3. In the light of the above fact, we find no merits in the habeas corpus petition and the habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS )

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**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 Secretary,  
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- 2.The Secretary,  
O/o.The Overseas Indian Affairs Department,  
The Overseas Indian Affairs Department,  
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3.The Home Secretary,  
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Fort St. George,  
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9.The Inspector of Police,  
Thiruverambur Police Station,  
Trichy District.

10.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER MADE IN

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**23.09.2020**

NR (06.10.2020) 4P 11C