



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.No.1503 of 2021

S.Petchimuthu

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Salai,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
St.Thomas Mount,
Alandur, Chennai - 600 016.
3. The Assistant Commissioner of Police,
Pallavaram Range,
Chennai.
4. The Inspector of Police,
S-6, Shankar Nagar Police Station,
Pamma, Chennai - 600 075.
5. M.Amudha
6. Trust Way Foundation,
represented by its Authorized Officer,
Alcohol/Drug Addiction and Psychiatric
Treatment Centre,
Plot No.8 & 9, Lakshmi Nagar,
By Pass Service Road,
Anakaputhur, Chennai - 600 070.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the 4th respondent to secure and produce the brother of the petitioner S.Muthusamy, aged about 47 years, before this Court, who is under the custody of 6th respondent on the instructions of the 5th respondent and set him at liberty.



WEB COPY

For Petitioner : Mr.J.Deliban

For Respondents : Mr.R.Muniyapparaj
Additional Public
Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the 4th respondent to secure and produce the brother of the petitioner S.Muthusamy,

aged about 47 years, before this Court, who is under the custody of 6th respondent/de-addiction centre on the instructions of the 5th respondent and set him at liberty.

2. It is the case of the petitioner that his brother Muthusamy, aged about 47 years, got married to the 5th respondent and on account of marital discord, Muthusamy is said to have filed H.M.O.P.No.1391 of 2021 in the Subordinate Court, Alandur, for divorce. It is the further case of the petitioner that Muthusamy has been admitted in the 6th respondent/de-addiction centre by the 5th respondent and therefore, a writ of habeas corpus requires to be issued.

3. On instructions, the learned Additional Public Prosecutor submitted that on the online complaint given by the petitioner, the police went to verify the 6th respondent/de-addiction centre and found Muthusamy taking treatment therein.

4. A photograph taken by the police with Muthusamy has been submitted to us for our perusal. From this, we find that Muthusamy is taking treatment in the 6th respondent/de-addiction centre and not in the illegal custody of anyone for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands dismissed.

Sd/-

Assistant Registrar(CS VII)
//True Copy//

Sub Assistant Registrar

nsd



To

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Salai,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
St.Thomas Mount,
Alandur, Chennai - 600 016.
3. The Assistant Commissioner of Police,
Pallavaram Range,
Chennai.
4. The Inspector of Police,
S-6, Shankar Nagar Police Station,
Pammal, Chennai - 600 075.
5. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1CC to Mr.J.Deliban, Advocate, Sr.No.50590

H.C.P.No.1503 of 2021

RGN (CO)

K.RK. (12.10.2021)