



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGOVAN**

H.C.P. (MD) No.235 of 2021

S.Paranjothi

... Petitioner/
Mother of the Detenue

-vs-

1.The District Superintendent of Police
O/o.District Superintendent of Police
Theni District

2.The Inspector of Police
Gandamanur Vilakku Police Station
Theni

3.S.Sasi Prabha

4.R.Muralidharan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the 1st and 2nd respondents to produce the person or body of petitioner son namely Sundaraprakash, aged about 36 years, before this Court and set him at liberty.

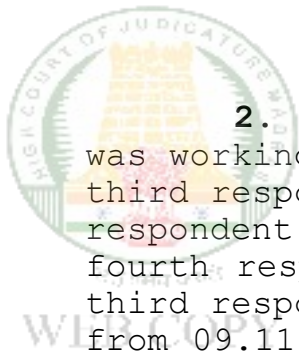
For Petitioner : Mr.Arumugam.C.M.

For Respondents : Mr.R.Anandharaj for R1 & R2
Additional Public Prosecutor
Mr.D.Selvanayagam for R3 & R4

O R D E R

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

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce her son, namely, Sundaraprakash, aged about 36 years, before this Court and set him at liberty.



2. The petitioner would state that her son / detenu herein was working in Tamil Nadu Electricity Board on temporary basis. The third respondent was married to the detenu on 19.02.2016. The third respondent insisted the detenu to go for a separate family and the fourth respondent was also quarrelling with the petitioner and the third respondent frequently. While so, the detenu was found missing from 09.11.2018. Though the petitioner lodged a complaint with the second respondent Police on 13.12.2018, but no action was taken, despite her repeated visit to the second respondent's Station. Hence, the petitioner gave a representation to the first respondent on 05.02.2021 and thereafter, she has come up with this habeas corpus petition.

3. Today, the petitioner as well as the detenu appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, the detenu would state that he married his own uncle's daughter in the year 2016. Subsequently, his father-in-law, who is the brother of the petitioner herein, harassed him and it is alleged that there was a life threat to him on several occasions and hence, he lodged a complaint, but no action was taken. Therefore, he left the house and went to Thiruvannamalai and working there in a Tea Stall and Hotel for his livelihood. He further stated that he is not illegally detained by anybody as alleged by the petitioner.

4. In the light of the above statement of the detenu, we find no merits in this habeas corpus petition and the same is therefore dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

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To:

- 1.The District Superintendent of Police,
O/o.District Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.235 of 2021
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VB (23.03.2021) 3P 4C