



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1138 of 2021

WEB COPY

K.Pandi

... Petitioner/father of
the detenu

-vs-

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.
- 2.The Additional Superintendent of Police(Crime),
Office of the Superintendent of Police,
Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivakasi Sub-Division,
Virudhunagar District.
- 4.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
- 5.The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the body or persons of the petitioner's son by name P.Pandimurugan, Son of K.Pandi, aged 30 years before this Court and set him at liberty.

For Petitioner :Mr.S.Malaikani

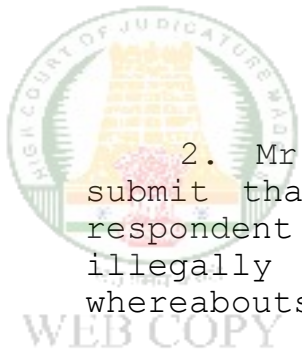
For Respondents :Mr.S.Ravi

Standing counsel for the State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's son by name P.Pandimurugan, aged about 30 years, was taken custody by the fifth respondent police for enquiry on 06.08.2021 in respect of a woman missing case, thereafter, he was illegally detained by them and so far his whereabouts is not known to the petitioner, he has filed the present Habeas Corpus Petition.



2. Mr.S.Malaikani, learned counsel for the petitioner would submit that the petitioner's son was taken custody by the fifth respondent police on 06.08.2021. Right from the said date, he was illegally detained by the fifth respondent police and his whereabouts is not also known till date.

3. Mr.S.Ravi, learned Standing counsel appearing for the State, on instructions would submit that the petitioner son is involved in a theft case in Crime No.1246 of 2020 on the file of the Sivakasi Town Police Station, in which, many accused involved. Earlier, the petitioner's son was called by the fifth respondent police for enquiry and after enquiry, then he was let off. Further investigation reveals about the involvement of the petitioner's son in the criminal case. Hence, he was arrested on 11.08.2021 and he is going to be produced before the concerned Judicial Magistrate today morning.

4. Considering the fact that the detenu has been arrested in connection with a criminal case and he is going to be remanded to judicial custody, no adjudication is required in this Habeas Corpus Petition. However, the petitioner has any grievance over the illegal detention of his son, it is open to him to get appropriate remedy in the manner known to law.

5. With the above observation, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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 Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.



2.The Additional Superintendent of Police(Crime),
Office of the Superintendent of Police,
Virudhunagar District.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivakasi Sub-Division,
Virudhunagar District.

4.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

5.The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.

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

H.C.P. (MD) No.1138 of 2021

12.08.2021

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