



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

H.C.P. (MD) No.892 of 2020

Gunasekaran

... Petitioner

-VS-

1.The Superintendent of Police,
Pudukkottai,
Pudukkottai District.

2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
(Crime No.28 of 2020).

... 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 body or person of the petitioner's sister namely, Thenmozhi, aged about 50 years and her husband, namely, Ravichandran, aged about 55 years, the detainees herein, before this Court and set them at liberty.

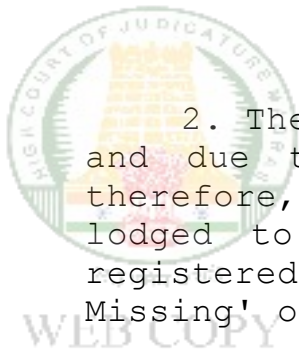
For Petitioner : Mr.M.Sivasankar

For R1 & R2 : Mr.K.Dinesh Babu
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 for issuance of direction to the respondents to produce the petitioner's sister namely, Thenmozhi, aged about 50 years and her husband, namely, Ravichandran, aged about 55 years, before this Court and set them at liberty.



2. The petitioner would state that the detenues incurred debts and due to distress, they left their home on 10.05.2019 and therefore, they could not be seen and hence, a complaint has been lodged to the first respondent on 12.02.2020 and a case was registered in Cr.No.28 of 2020 under 'Women Missing' and 'Man Missing' on 15.02.2020, but no action was taken to secure them.

3. When the matter is taken up for hearing today, the petitioner and the detenues appeared before this Court in person. On enquiry, the first detenu would state that he is having two sons and for their education purpose, he borrowed money, but he could not settle the same. Due to pressure, he was forced to leave his native place and he is now working in Namakkal. The first son of the detenues would state that he is working in Malaysia and he will settle the debts for his parents.

4. In the light of the above statement, we find that they are not in illegal custody and hence, there is no merit in the habeas corpus petition. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar (AD II)

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Sub Assistant Registrar (CS)

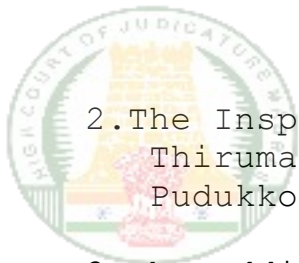
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Note :

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 Superintendent of Police,
Pudukkottai,
Pudukkottai District.



2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

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

H.C.P. (MD) No.892 of 2020
01.03.2021

KM (12.03.2021) 3P 4C