



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1301 of 2021

Rajathi @ Rajakumari

... Petitioner

vs.

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

2.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

3.S.Albert,

4.Gayathiri

... 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 1 and 2 to secure the petitioner's husband namely Baskaran, Son of Santhanam, aged about 62 years from the illegal custody of the respondents 3 and 4 and produce the petitioner's husband before this Court and set him at liberty.

For Petitioner : Mr.R.Mathiyalagan

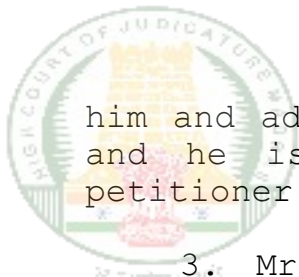
For R 1 and 2 : Mr.S. Ravi
Standing counsel for the State

O R D E R

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

Alleging that the petitioner's husband one Baskaran, aged about 62 years, found missing and suspecting the 3rd respondent, who is the sister's son of the detenu, is illegally detained in the hospital run by the 4th respondent, the petitioner has given a complaint before the 2nd respondent police. Since no action has been taken by the respondents to secure the detenu, the present Habeas Corpus Petition has been filed.

2. Mr.S.Ravi, the learned Standing Counsel appearing for the respondents, on instructions, would submit that the the detenu is the mentally retarded person. Since the petitioner has not taken care of him the 3rd respondent, the sister son of the detenu, took



him and admitted in the 4th respondent Hospital and given treatment and he is not illegally detained by them, as alleged by the petitioner.

3. Mr.R.Mathiyalagan, the learned counsel appearing for the petitioner submitted that the respondents 3 and 4 not even permitting the petitioner to meet her husband and therefore, the petitioner may be permitted to meet her husband in the hospital.

4. Considering the fact that the detenu is taken treatment with the 4th respondent hospital, with the help of 3rd respondent, there is no illegal detention, as alleged by the petitioner. Hence, the Habeas Corpus Petition is dismissed. However, the petitioner is permitted to visit the hospital to see the detenu.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mpk

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,
Trichy District,
Trichy.

2.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

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

+1 CC to M/s.R.MATHIYALAGAN, Advocate (SR-28241[F] dated 06/09/2021)

H.C.P. (MD) No.1301 of 2021

06.09.2021

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