



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2021

CORAM:

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

H.C.P. (MD) No.1137 of 2020

P.Selvamani

... Petitioner

-vs-

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

2.The Inspector of Police,
Austinpatti Police Station,
Madurai.

... 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 son Ramesh @ Peela Ramesh, son of late Palkannan aged about 47 years before this Court and set him at liberty.

For Petitioner	:	Mr.R.Selvaraj
For Respondents	:	Mr.K.Dinesh Babu
		Additional Public Prosecutor
		(for R1 and R2)

O R D E R

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

This Habeas Corpus Petition has been filed seeking a direction to the respondents to produce the petitioner's son, namely, Ramesh @ Peela Ramesh, aged about 45 years before this Court and set him at liberty.

2.It appears that the petitioner is the mother of the detenu. She would state that the detenu was missing from March 2008, she had tried along with her relatives to secure him, but they cannot secure him. Hence, she lodged a complaint to the second respondent in the year 2008. She would further state that the police came to her village to obtain a certificate from the Village Administrative Officer with regard to her son's non-availability and thereafter,



she was harassed by the police. Hence, the present habeas corpus petition.

3.The learned Additional Public Prosecutor would state that the detenu is involved in a theft case and he has been hiding himself and the habeas corpus petition is filed with an ulterior motive to prevent the police taking further action in that criminal case.

4.It is submitted by the learned counsel for the petitioner that the petitioner apprehends that the detenu would have been murdered, but there is no clue to give the complaint. Hence, she approached this Court with this habeas corpus petition.

5.It is pertinent to mention that this habeas corpus petition has been filed after lapse of 12 years, but no explanation has been given for the delay. Taking note of the fact that the detenu is an accused in the theft cases and non-bailable warrants have been issued by the concerned courts and the respondent police have also taken steps to secure him, we find no merits in the habeas corpus petition and hence, the same is dismissed.

Sd/-

Assistant Registrar ()

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/ /2021

Sub Assistant Registrar(CS)

Skn

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,
Madurai District,
Madurai.

2.The Inspector of Police,
Austinpatti Police Station,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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VB (05.03.2021) 3P 4C