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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.No.348 of 2022

Selvi
W/o.E.Chandrasekaran

.. Petitioner

Vs.

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

2. The Inspector of Police,
Nemili Police Station,
Ranipet District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to secure and produce the petitioner's husband E.Chandrasekar s/o.Elumalai, aged 52 years, before this Court and set him at liberty.

For Petitioner : Ms.Ami.V. Kataria

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the respondents to secure and produce the petitioner's husband E.Chandrasekar s/o.Elumalai, aged 52 years, before this Court



and set him at liberty.

2. On 01.03.2022, we passed the following order:

'It is the case of the petitioner that her husband Chandrasekaran has recently won the election conducted in Nemili Town Panchayat, Ward No.3, by contesting in the PMK symbol and that he is in the illegal custody of police.

2. Today, Mr.P.Sankar, Special Sub-Inspector of Police, Nemili Police Station, Ranipet District [94981 48929], is present.

3. On instructions, learned Additional Public Prosecutor produced records to show that one Saravanan, District Secretary, PMK, had given a complaint dated 25.02.2022 to the police alleging that their party man Chandrasekaran has been abducted by AIADMK party men. In connection with the said complaint, a petition enquiry in CSR No.182/2022 was registered and Chandrasekaran was secured by the police and produced before the Arcot police and an enquiry was conducted on 27.02.2022. Since Chandrasekaran stated that he is not in the illegal custody of any person and that he would vote in the Panchayat Union election on his own volition, he was released.

4. Thus, it is clear that Chandrasekaran is not in the police custody for issuance of writ of habeas corpus. However, learned counsel for the petitioner submitted that Chandrasekaran has not returned home. Thus, there appears to be an intra political issue.

5. The second respondent police is directed to produce Chandrasekaran in person or through video conferencing on the next hearing date.

Call on 07.03.2022.'

3. Today, Mr.P.Sankar, Nemili Police Station, Ranipet District [Mobile No.94981 48929] is present and he produced the alleged detenu E.Chandrasekar and his wife Selvi, the petitioner herein.

4. Learned counsel for the petitioner submitted that the alleged detenu Chandrasekar returned home on 04.03.2022.



Recording the same, this Habeas Corpus Petition stands closed.

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Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
Ranipet District,
Ranipet.
2. The Inspector of Police,
Nemili Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.348 of 2022

SV(CO)
SU(21/03/2022)