



H.C.P.No.2183 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2183 of 2022

S.Geetharani

.. Petitioner

Vs

1.State of Tamil Nadu represented by
its Commissioner of Police,
Vepery, Chennai.

2.The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai – 600 026.

3.The Sub-Inspector of Police,
R-8, Vadapalani Police Station,
Chennai – 600 026.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the victim viz. Parameswary, W/o.late G.D.Ram, aged about 93 years, before this Court and set her at liberty.



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H.C.P.No.2183 of 2022

For Petitioner : Mr.Vijayendran

For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor

ORDER

(Made by *P.N.PRAKASH, J.*)

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce her mother *viz.* Parameswary, W/o.late G.D.Ram, aged about 93 years, before this Court and set her at liberty.

2. It is the case of the petitioner that her 93 years old mother Parameswary has been abducted by her sisters and brother for a property worth Rs.45 crores, in connection with which, she gave a complaint on 08.10.2022 and that the police are not taking effective steps to secure her. On these allegations, the present habeas corpus petition has been filed by the petitioner.



H.C.P.No.2183 of 2022

3. Today, S.Balakrishnan (Mobile No.94452 44080), Sub-

Inspector of Police, Vadapalani Police Station, Chennai, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that the petitioner has two sisters and one brother and the petitioner's mother is with Rama, who is the eldest sister of the petitioner and the first daughter of the alleged detainee, in Vadapalani; that apart, a civil suit is pending before the XXI Additional City Civil Court, Allikulam, Egmore, with regard to the property in question.

5. We find that all these facts have been suppressed in the affidavit filed by the petitioner. The petitioner has not even stated the date on which her mother was allegedly abducted by her sisters and brother.

6. It is not the case of the petitioner that her mother is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus.



H.C.P.No.2183 of 2022

In such view of the matter, this habeas corpus petition is utterly misconceived and purely an abuse of process of law. Therefore, this habeas corpus petition stands dismissed with costs of Rs.25,000/- payable by the petitioner to the credit of the Tamil Nadu State Legal Services Authority.

(P.N.P., J.) (TKRJ)
03.11.2022

nsd



H.C.P.No.2183 of 2022

To
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- 1.The Commissioner of Police,
Vepery, Chennai.
- 2.The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai – 600 026.
- 3.The Sub-Inspector of Police,
R-8, Vadapalani Police Station,
Chennai – 600 026.
- 4.The Chairman,
Tamil Nadu State Legal Services Authority,
North Fort Road, High Court Buildings,
Chennai - 600 104,
Phone no: 044 – 25342834.
- 5.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



WEB COPY



H.C.P.No.2183 of 2022

P.N.PRAKASH, J.
and
RMT.TEEKAA RAMAN, J.

nsd

H.C.P.No.2183 of 2022

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