



H.C.P.No.2526 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM :

**THE HONOURABLE MR. JUSTICE S.S. SUNDAR
AND**

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.No.2526 of 2022

A.Muthukkannu

... Petitioner

Vs.

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

2.The Inspector of Police,
Thalainayar Police Station,
Nagappattinam District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the respondents herein to produce the body of the petitioner's son Balamurugan, S/o.Ayyappan, aged about 29 years before this Court and set him at liberty.

For Petitioner : Mr.M.Kalaiyaran

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

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This petition is filed by the mother of the detenu and the petitioner states that his son is missing and his whereabouts are not known. Based on the complaint given by the petitioner, the respondents have registered a case in Crime No.134 of 2022 on 27.10.2022. Later, on preliminary enquiry, it is found that the petitioner's son is in judicial custody in relation to a crime which is registered under Section 325 IPC.

2.Learned Additional Public Prosecutor appearing respondents produced before this Court a letter stated to have been written by the detenu on 07.12.2022, to the petitioner indicating that he was arrested and that he is put in Kalapattu Central Jail. By this letter, the petitioner is expected to know the whereabouts of the detenu that he is in judicial custody.

3.Therefore, since the petitioner herself is aware of the fact that the detenu is imprisoned and he is in Central Jail, Kalapattu, as per the communication received, this Court is unable to entertain this petition, as the



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detenu is not in illegal custody.

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4. Therefore, this petition is dismissed.

(S.S.S.R., J.) (A.A.N., J.)
08.12.2022

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

To

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

2. The Inspector of Police,
Thalainayar Police Station,
Nagapattinam District.

3. The Public Prosecutor,
High Court, Madras.



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