



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.513 of 2022

V.Subburaj

... Petitioner / Father of the Detenu

-Vs-

1.The Director General of Police,
O/o. Director General of Police,
No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

2.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

3.The Inspector of Police,
Austinpatti Police Station,
Austinpatti, Madurai District.

4.Anand ...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's son, namely, Jeyavelan, S/o.Subburaj, aged about 42 years and petitioner's brother-in-law, namely, Padhmanaban, S/o.Ayyasamy, aged about 56 years, before this Court and set them as liberty.

For Petitioner : Mr.C.M.Arumugam
For R1 to R3 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks production of the person of his son, namely, Jeyavelan and his brother-in-law, namely, Padhmanaban, aged about 42 years and 56 years respectively. According to the petitioner, they were taken away by the respondent police at about 08.00 p.m., on 28.03.2020.

2.Mr.C.M.Arumugam, learned counsel appearing for the petitioner, would submit that subsequently, the petitioner was also



taken into illegal custody and all of them have been set free now.

3.Mr.T.Senthil Kumar, learned Additional Public Prosecutor appearing for the respondents, upon instructions, would submit that the petitioner and the detenues are running pawn broker business and they were taken for enquiry regarding the receipt of stolen jewels by them upon specific information by the accused in the theft case. He would also submit that this petition itself is an anticipatory petition to set up a defence in the criminal case.

4.In view of the fact that there is no illegal detention involved, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Myr

To

1.The Director General of Police,
O/o. Director General of Police,
No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

2.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

3.The Inspector of Police,
Austinpatti Police Station,
Austinpatti, Madurai District.

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

+1 CC to M/s.C.M. ARUMUGAM, Advocate (SR-16881[F] dated
06/04/2022)

H.C.P. (MD) No.513 of 2022
05.04.2022

GM(CO)

KB(12.04.2022) 2P 6C