



H.C.P.(MD)No.1070 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD)No.1070 of 2022

S.Valliyammal

: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Vilaathikulam,
Thoothukudi District.

3.The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

4.Sivasubramaniyan

: Respondents



H.C.P.(MD)No.1070 of 2022

PRAYER: 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 the petitioner's father by name Samiayya Nadar, S/o.Subbiah Nadar aged about 96 years and produce him before this Court in person or his body and set him at liberty.

For Petitioner : Mr.V.Angusamy

For Respondents 1 to 3 : Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **R.VIJAYAKUMAR, J.**]

It is the case of the petitioner that her father Samiayya Nadar aged 96 years is in the illegal custody of the fourth respondent who is none other than the brother of the petitioner and son of Samiayya Nadar and that the petitioner is not being permitted to meet him. Hence, the petitioner has filed this Habeas Corpus Petition.

2. Heard Mr.V.Angusamy, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 to 3.



H.C.P.(MD)No.1070 of 2022

3.Today, Ms.M.Anitha [Mobile No.9498197517] Inspector of Police, Masarpatti Police Station, Thoothukudi District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a petition enquiry in Masarpatti Police Station in C.S.R.No.118 of 2022 was registered and during the course of enquiry, it came to light that Samiayya Nadar is living in his own ancestral home and along with him the fourth respondent is also residing.

5.The police also produced the video recordings to show that Samiayya Nadar is freely conversing with everyone and he is not in the illegal custody of anyone as alleged by the petitioner.

6.In such view of the matter, no Writ of Habeas Corpus can be issued. Accordingly, this Habeas Corpus Petition is closed.

[P.N.P.J.] & [R.V.J.]

01.07.2022

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



H.C.P.(MD)No.1070 of 2022

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Vilaathikulam,
Thoothukudi District.
- 3.The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD)No.1070 of 2022

P.N.PRAKASH, J.
and
R.VIJAYAKUMAR, J.

MR

ORDER MADE IN
H.C.P.(MD)No.1070 of 2022

01.07.2022