



H.C.P(MD)No.1299 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :08.08.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

H.C.P(MD)No.1299 of 2022

Santha

... Petitioner

Vs.

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

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

3.Govindan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Habeas Corpus, to direct the second respondent to produce the person or body of the petitioner's husband namely Kalimuthu, aged about 42 years and produce before this Court and set him at liberty.

For Petitioner

: Mr.A.Arputharaj

For R-1 and R-2

: Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor



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ORDER

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

This Habeas Corpus Petition is filed to direct the second respondent to produce the person or body of the petitioner's husband namely Kalimuthu, aged about 42 years and produce before this Court and set him at liberty.

2. Heard Mr.A.Arputharaj, learned counsel for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor for respondents 1 and 2.

3. The case of the petitioner is that her husband was illegally detained by the third respondent Govindan earlier. It is stated that though a complaint was lodged in this regard, no action was taken by the respondent police.

4. Today, the second respondent has produced before this Court the detenu namely the husband of the petitioner. When we enquired, he stated that in open Court that he was illegally detained by the third respondent by name Govindan and that, he was released later by the third respondent. It is his specific statement that he was beaten while he was under illegal custody of the third respondent.



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5. The detenu states that he has given complaint earlier, no action was

taken by respondents 1 and 2. Without going into the specific allegations made by the detenu before this Court, this Court is of the view that this petition may be closed as the detenu has now been freed. Hence, this Habeas Corpus Petition is closed. However, the second respondent is directed to register a complaint that had already been lodged by the detenu and to take appropriate action as against the third respondent and his men.

[S.S.S.R., J.] [S.S.Y., J.]

08.08.2022

Index : Yes / No

pm

To:

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
S.SRIMATHY, J.
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