



WEB COPY



HCP.No.1046/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.1046/2023

P.Saritha

... Petitioner

Vs.

1.The Superintendent of Police
Kallakurichi District, Kallakurichi.

2.The Deputy Superintendent of Police
Kallakurichi, Kallakurichi District.

3.Th Inspector of Police
Thiyagadurugam Police Station
Kallakurichi, Kallakurichi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India in the nature of Habeas Corpus directing the 3rd respondent to produce the body or person of Palani, son of Govindan, aged about 42 years, the detenu who is under the illegal custody of 3rd respondent before this Court and set him at liberty.



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For Petitioner : Mr.T.R.Udaya Kumar
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1)The present writ petition has been filed by the petitioner/wife of the detenu to cause production of her husband, Palani, aged about 42 years, who is said to be in the illegal custody of the 3rd respondent, according to the petitioner, before this Court and to set him at liberty.
- (2)The learned counsel for the petitioner states that he has handed over the case bundle to the clients and the clients had taken back the bundle on the pretext that they are going to engage a different counsel.
- (3)The learned Additional Public Prosecutor on instructions, had already informed this Court that the detenu had been arrested by Kuppam Police Station, Andhra Pradesh, in connection with the crime that was committed by the detenu/husband of the petitioner in Andhra Pradesh.
- (4)Therefore, this Court is unable to find any ground or merit in this Habeas



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Corpus Petition as the detenu has been arrested in connection with the crime registered in another State. There is no scope for entertaining this petition as the detenu is not in the illegal custody of the 3rd respondent herein, as alleged.

(5) Hence, the Habeas Corpus Petition stands **closed**.

[S.S.S.R., J.] [S.M, J.]
30.10.2023

AP

Internet : Yes



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To

- 1.The Superintendent of Police
Kallakurichi District, Kallakurichi.
- 2.The Deputy Superintendent of Police
Kallakurichi, Kallakurichi District.
- 3.Th Inspector of Police
Thiyagadurugam Police Station
Kallakurichi, Kallakurichi District.
- 4.The Public Prosecutor,
High Court, Madras.



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S.S. SUNDAR, J.,
and
SUNDER MOHAN, J.,

AP

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