



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

and

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.2201 of 2023

Bharathi Devi

... Petitioner

Vs.

1.The Commissioner of Police,
Tambaram
Tamilnadu – 600 119.

2. The Inspector of Police,
T- 15, Kannagi Nagar Police Station,
Okkiyam Thoraipakkam Kannaginagar,
Chennai – 600 097.

3. V.Padmini

4. Duke Talomy (Shadithya heath care)

...Respondents



Prayer : Petition filed under Article 226 of the Constitution of India in the nature of Writ of Habeas Corpus, directing the second respondent to produce petitioner's brother Venkatesan aged about 64 years before this Court from the custody of third respondent and fourth respondent and set her liberty.

For Petitioner : Mr. D.Kamesh
for M/s. K.Raghuraman

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
Assisted by
Mr.C.Aravind
for R1 and R2

Mr.G.Peranban
for R3

No Appearance
for R4

ORDER

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

This Habeas Corpus petition has been filed directing the second respondent to produce petitioner's brother Venkatesan/detenu, aged about 64 years before this Court from the custody of third respondent and fourth respondent and to set her at liberty.



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2. The learned Additional Public Prosecutor on instructions stated that the detenu is now in a De-addiction Centre, and it is also informed by the second respondent that the detenu is under the care of his own wife, who had admitted him in a De-addiction Centre to subject himself for a treatment.

3. Since the petitioner's grievance earlier was that the petitioner who is the sister of the detenu was not permitted to see her brother, this Court directed the second respondent to inform the fourth respondent that they will permit the petitioner to visit the detenu.

4. However, the learned counsel appearing for the petitioner has maintained that the petitioner was not allowed to visit the detenu.

5. Heard both sides.

6. In view of the fact that the detenu is now under the care and protection of his wife, we do not want to go into the details. Since the detenu is not in illegal custody, this Habeas Corpus Petition is liable to be dismissed.



7. Hence, this Habeas Corpus Petition is closed.

(S.S.S.R., J.) (S.M., J.)

12.12.2023

Internet : Yes

Neutral Citation : Yes / No

dk

To

1. The Commissioner of Police,
Tambaram,
Tamilnadu – 600 119.

2. The Inspector of Police,
T- 15, Kannagi Nagar Police Station,
Okkiyam Thoraipakkam Kannaginagar,
Chennai – 600 097.

3. The Public Prosecutor
High Court of Madras,
Chennai – 600 104.



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H.C.P.No.2201 of 2



S.S. SUNDAR, J.
and
SUNDER MOHAN, J.
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H.C.P.No.2201 of 2023

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