



HCP.No.2370/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.2370/2023

Vijaya

... Petitioner

Vs.

1.The Commissioner of Police
Avadi City Police,
O/o.The Commissioner of Police
Avadi, Chennai 600 054.

2.The Inspector of Police
E4 Kattur Police Station
Redhills Police District
Thiruvallur District.

3.The Inspector of Police
M4 Redhills Police Station
Chennai.

4.The Inspector of Police



HCP.No.2370/2023

Hasthampatti Police Station
Salem City.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondents police to produce the petitioner's missing son namely Sakthivel, son of Shanmugaraj, aged about 27 years before this Court and set him at liberty.

For Petitioner	: Mr.T.Ananthasekar
For Respondents	: Mr.E.Raj Thilak Additional Public Prosecutor

ORDER

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

- (1)The present petition is filed by the petitioner, mother of the detenu Sakthivel, to cause production of her son before this Court and to set him at liberty.
- (2)It is the case of the petitioner that her son/detenu was arrested in connection with the case in Crime No.852/2023 by the 3rd respondent police and that he has been falsely implicated in the case. Subsequently,



HCP.No.2370/2023

WEB COPY

the detenu was released on bail on 20.11.2023 pursuant to an order passed by the learned Judicial Magistrate, Ponneri in CMP.No.7247/2023.

The petitioner further states that sureties was executed. The petitioner's son was released from the Central Prison, Salem at about 1.00 p.m. And that he was abducted by some persons. When the advocate of the petitioner approached the 4th respondent, it appears that he was informed that a police team attached to respondents 2 and 3 have taken the detenu. It is in the said circumstances, the mother had filed the present petition.

(3)The learned Additional Public Prosecutor who accepts notice on behalf of the respondents, submitted that the detenu was arrested pursuant to the statement given by the co-accused in connection with the case in Crime No.621/2023 and that he was subsequently remanded by the learned Judicial Magistrate No.2, Ponneri. It is further stated that the arrest of the detenu was informed to the father of the detenu.

(4)However, this Court finds that the present petition is filed by the mother of the detenu as if her son is in the illegal detention.

(5)Finding that it is not a case of illegal detention and the petitioner has filed



HCP.No.2370/2023

this vexatious petition, this Court is not inclined to entertain this petition.

WEB COPY

(6) Accordingly, this Habeas Corpus Petition stands **dismissed**.

[S.S.S.R., J.] [S.M, J.]
30.11.2023

AP
Internet : Yes



HCP.No.2370/2023

WEB COPY

To

- 1.The Commissioner of Police
Avadi City Police,
O/o.The Commissioner of Police
Avadi, Chennai 600 054.
- 2.The Inspector of Police
E4 Kattur Police Station
Redhills Police District
Thiruvallur District.
- 3.The Inspector of Police
M4 Redhills Police Station
Chennai.
- 4.The Inspector of Police
Hasthampatti Police Station
Salem City.
- 5.The Public Prosecutor,
High Court, Madras.



WEB COPY



HCP.No.2370/2023

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

AP

HCP.No.2370/2023

30.11.2023