



WEB COPY



HCP.No.2472/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.2472/2023

Senniyappan

... Petitioner

Vs.

1.The Sub Inspector of Police
Anthiyur Police Station
Erode District.

2.Mrs.Kavitha

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, to direct the 1st respondent to produce the body of the detenue namely the petitioner's son Prabhukumar, aged about 40 years before this Court and set him at liberty.

For Petitioner

: Mr.R.Muralidharan

For R1

: Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.Aravind.C



WEB COPY



HCP.No.2472/2023

ORDER

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

- (1)The petitioner, father of the detenu Prabhukumar, has filed the present petition seeking to cause production of his son, who is said to be missing from 28.10.2023 and said to be in the illegal custody of the 2nd respondent herein, before this Court and to set him at liberty forthwith.
- (2)Mr.E.Raj Thilak, learned Additional Public Prosecutor accepts notice on behalf of the 1st respondent.
- (3)The learned Additional Public Prosecutor on instructions submitted that it is not a case of illegal detention as the detenu is in a Rehabilitation Centre.
- (4)Though it is the contention of the petitioner who claims to be the foster father of the detenu that the detenu has no bad habits to get himself admitted in the Rehabilitation Centre, the fact that the respondent police has found the detenu with his wife, shows that this is not a case of illegal detention.



HCP.No.2472/2023

WEB COPY

(5) In such circumstances, this Court recording the fact that the detenu is not under any illegal detention, is inclined to dismiss this petition.

(6) Accordingly, this petition stands **dismissed**.

[S.S.S.R., J.] [S.M, J.]
20.12.2023

AP
Internet : Yes
To

1. The Sub Inspector of Police
Anthiyur Police Station
Erode District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



HCP.No.2472/2023

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

AP

HCP.No.2472/2023

20.12.2023