



HCP(MD)No.486 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.04.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR**
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN**

H.C.P.(MD)No.486 of 2023

Ponnammal

.. Petitioner

Vs.

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

2.The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.

3.V.Prabhakaran

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to secure the detenu and produce the person or body of the detenu namely V.Prakash S/o.Late.Veeramuthu aged about 28 years from the illegal custody of the 3rd respondent before this Court and set him at liberty.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor



HCP(MD)No.486 of 2023

ORDER

WEB COPY

[Order of the Court was made by **R.SURESH KUMAR, J.**]

This Habeas Corpus Petition has been filed for a direction to the respondents 1 and 2 to secure the detenu and produce the person or body of the detenu namely V.Prakash S/o.Late.Veeramuthu aged about 28 years from the illegal custody of the 3rd respondent before this Court and set him at liberty.

2.The petitioner claims to be the wife of the detenu. Both the petitioner as well as the detenu are blind. The respondent police has produced the detenu before this Court. We enquired the detenu, who stated that he and the petitioner exchanged garlands in Mariamman Temple at Thanjavur on 27.02.2023. Thereafter, he came to know that the petitioner has already got married. Therefore, he decided to go with his family members ie., the brother and sisters, who are residing at Koppampatti in Pudukottai District, where he had gone and have been residing there with them. He further stated that he does not want to join with the petitioner.



HCP(MD)No.486 of 2023

3. The learned counsel for the petitioner submits that the detenu has been tutored by his brother third respondent, accordingly, he had made a statement before this Court. Insofar as the complaint made by the petitioner as if the detenu has been detained by the third respondent which is illegal is concerned, that has been clarified by the detenu that on his volition, he has gone and residing with the third respondent and other family members of the detenu and therefore, it cannot be treated as an illegal custody at the hands of either the third respondent or any other third parties.

4. In view of the afore-stated by recording the statement given by the detenu, we feel that the Habeas Corpus Petition can be closed. Accordingly, the same is closed. If at all the petitioner feels that any personal right is to be enforced, it is open to her to approach the appropriate Court in the manner known to law.

(R.S.K.,J.) (K.K.R.K.,J.)
19.04.2023

Index : Yes/No
Internet : Yes
RR



HCP(MD)No.486 of 2023

To

WEB COPY

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



WEB COPY



HCP(MD)No.486 of 2023

R.SURESH KUMAR,J.
and
K.K.RAMAKRISHNAN,J.

RR

HCP.(MD)No.486 of 2023

11.04.2023