



H.C.P.(MD)No.609 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.06.2023

CORAM

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

H.C.P.(MD)No.609 of 2023

M.Pappathi

.. Petitioner / Aunt of
the detenue

Vs.

1.The Superintendent of Police
Virudhunagar District, Virudhunagar

2.The Assistant Superintendent of Police,
Sivakasi Circle, Sivakasi

3.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents 1 to 3 to produce the body or person of the detenue namely Renganayaki aged about 25 years niece of the petitioner's before this Court and set her at liberty forthwith.

For Petitioner : Mr.B.Ashokkumar

For Respondents : Mr.RMS.Sethuraman
Additional Public
Prosecutor



H.C.P.(MD)No.609 of 2023

ORDER

WEB COPY

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

This Habeas Corpus Petition has been filed to direct the respondents 1 to 3 to produce the body or person of the detenue namely Renganayaki aged about 25 years niece of the petitioner's before this Court and set her at liberty forthwith.

2.Though such a prayer was sought for by the petitioner, the learned counsel for the petitioner has submitted that now it has been revealed that the detenue has been taking treatment for her psychiatric problem at M.S.Chellamuthu Trust and Research Foundation, Madurai and in this regard till the treatment is over, the petitioner or anybody cannot disturb the detenue, but at the same time, when the petitioner made an attempt to see the detenue to enquire about her well-being, even that was not permitted by the trust people and therefore, if a permission to visit the detenue once in a week is given, that would suffice to the petitioner.

3. In this regard, the learned Additional Public Prosecutor would



H.C.P.(MD)No.609 of 2023

submit that already the petitioner has given a written statement on 04.03.2023 stating that she will not disturb the treatment being given to the detinue and after completion of the treatment, she will take steps through the legal course to get the custody of the detinue in accordance with law.

4. In view of the said stand taken by the petitioner and having taken note of the present statement made by the learned counsel for the petitioner, this Court is inclined to dispose of this petition with the following direction:

“that there shall be a direction to the respondents to ensure the safe visitation of the petitioner to the said Trust, where the detinue is taking treatment, once in a week till the treatment is completed. After the treatment is over, it is open to the petitioner to work out her remedy with regard to the custody or otherwise of the detinue in the manner known to law.”

(R.S.K.,J.) (K.K.R.K.,J.)
02.06.2023

Internet : Yes
RR



H.C.P.(MD)No.609 of 2023

To

1.The Superintendent of Police
Virudhunagar District
Virudhunagar

2.The Assistant Superintendent of Police,
Sivakasi Circle,
Sivakasi

3.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



H.C.P.(MD)No.609 of 2023

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

RR

H.C.P.(MD)No.609 of 2023

02.06.2023