



HCP(MD)No.1003 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.08.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

H.C.P.(MD)No.1003 of 2023

Vanitha

... Petitioner / Wife of the detenu
Vs.

1.The Director General of Police,
Police Headquarters of Tamil Nadu,
Dr.Radhakrishnan Salai, Mylapore,
Chennai District.

2.The Inspector General of Police,
South Zone, Madurai City.

3.The Commissioner of Police,
Alagarkovil Main Road, Madurai City.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the 3rd respondent to produce the body or person of the petitioner's husband / detenu, namely, Balamurugan @ Madurai Bala, Son of Moorthy, aged about 34 years before this Court and set him at liberty.

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For Petitioner : Mr.J.Vijayaraja
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by *M.S.RAMESH,J.*)

It is claimed by the petitioner, who is the wife of one Balamurugan, that Chalkudy Police, Kerala had taken her husband to the Police Station on 08.08.2023 at about 03.00 p.m., and thereafter, his whereabouts are not known and anticipating some threat to his life, she had filed the present Habeas Corpus Petition.

2.Today, when the matter was called, the learned Additional Public Prosecutor for the respondents, on instructions, submitted that the petitioner's husband has been arrested in connection with the case in Crime No.276 of 2023 by J-9 Duraipakkam Police Station, Chennai, for the alleged offences punishable under Sections 294(b), 323, 392 r/w 397 and 336, 427 and 506(ii) IPC and has been remanded to judicial custody by the learned



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Judicial Magistrate No.2, Alandur, Chennai and is now confined at Central Prison, Coimbatore.

3.In view of the same, the claim of the petitioner that her husband has been in illegal custody cannot be substantiated, since he is in judicial custody. As such no further order is required. Accordingly, this Habeas Corpus Petition is closed.

(M.S.R.,J.) & (M.N.K.,J.)

11.08.2023

NCC : Yes / No
Index : Yes / No

Yuva

To

1.The Director General of Police,
Police Headquarters of Tamil Nadu,
Dr.Radhakrishnan Salai, Mylapore,
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M.S.RAMESH, J.
AND
M.NIRMAL KUMAR, J.

Yuva

3.The Commissioner of Police,
Alagarkovil Main Road, Madurai City.

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

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