



WEB COPY



HCP.No.492 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.492 of 2024

M.Sunmathi Fatima

... Petitioner

Vs.

1.State rep. by
The Deputy Commissioner of Police,
Puliyanthope Range,
Chennai.

2.The Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Chennai.

3.Mr.Anthony Louis Xavier

4.Mrs.Suganthi Singara Selvi

5.Mr.Arun Pathuvai Francis

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the first and second respondents herein to produce the body of the detenu Mr.Irwin Pathuvai Francis,



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S/o.Mr.Anthony Louis Xavier, aged about 30 years, before this Court and set him at liberty.

For Petitioner	: Mr.V.Karthikeyan for Mr.S.Joel
For R1 & R2	: Mr.E.Raj Thilak, Additional Public Prosecutor assisted by Mr.C. Aravind
For R3 to R5	: Mr.K.Chozhan

ORDER

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

Alleging that the detenu is in illegal custody of the respondents 3 to 5 herein, who are the parents and brothers of the detenu, the present Habeas Corpus Petition has been filed.

2. Today, when the Habeas Corpus Petition was taken up for hearing, the learned Additional Public Prosecutor produced the detenu Mr.Irwin Pathuvai Francis before us. We interacted with Mr.Irwin Pathuvai Francis, who affirmed that he is not in illegal custody of the respondents 3 to 5 herein.



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3. In view of the statement made by the alleged detenu, the present Habeas Corpus Petition seeking for securing the detenu from the custody of the respondents 3 to 5, cannot be entertained. Accordingly, the Habeas Corpus Petition stands dismissed.

[M.S.R., J]

[S.M., J]

07.03.2024

Index: Yes/No

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To

1.The Deputy Commissioner of Police,
Puliyanthope Range,
Chennai.

2.The Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Chennai.

3.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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