



WEB COPY



HCP.No.2187 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.2187 of 2024

Vijayakumary

... Petitioner

Vs.

1 State rep by,
Inspector of Police,
Mettupalayam Police Station,
Puducherry District.

2 Porkilai.

3 Vijayan.

4 Prabhav

5 Poobalan @ Vignesh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first respondent to secure the petitioner's husband, namely, Damodiran, aged about 79 years, from the illegal custody of the respondents 2 to 5 and produce before the Court and set him at liberty.

For Petitioner

: Mr.D.Ilamparithi

For Respondents

: Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)



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ORDER

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

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The present Writ Habeas Corpus petition has been instituted to direct the first respondent to secure the petitioner's husband, namely, Damodiran, aged about 79 years, from the illegal custody of the respondents 2 to 5 and produce before the Court and set him at liberty.

2.The learned Public Prosecutor, Puducherry, would submit that during investigation, the Police identified that the detenu has been admitted in the East Coast hospital, Puducherry. The Police have verified the identity of the detenu and furnished the copy of the photographs, which would reveal that the detenu is taking treatment in the hospital. Therefore, the detenu is not under illegal detention. The respondents 2 to 5/sisters of the detenu also have given a statement to the police that the detenu and the petitioner are living separately for the past about 40 years. The detenu is taken care of by his sisters for about 40 years. Thus, the petitioner left the matrimonial home long before and therefore, the present Habeas Corpus petition deserves no further consideration.



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3. Accordingly, the Habeas Corpus petition stands dismissed.

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[S.M.S., J.]

[V.S.G., J.]

11.09.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1. State rep by,
Inspector of Police,
Mettupalayam Police Station,
Puducherry District.
2. The Public Prosecutor,
Puducherry.



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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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