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H.C.P.No.2431 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

H.C.P.No.2431 of 2024

R.Kokila

... Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai – 600 007.

2.The Inspector of Police,
EI Mylapore Police Station,
Chennai.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, to secure the person or body of the detenu namely Mrs.Neelima W/o. Varaaki @ V.R.Krishnakumar, aged about 45 years, who has been confined illegally by the 2nd respondent herein in the form of house arrest at her residence bearing Door No.19, D1, Block, Taisha Apartments, Natesan Nagar, Virugambakkam, Chennai – 600 092, before this Court and set her liberty forthwith.



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For Petitioner : Mr.P.Rajkumar Pandian
For Mr.S.Ramesh
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The present habeas corpus petition has been instituted to secure the person or body of the detenu namely Mrs.Neelima W/o.Varaaki @ V.R.Krishnakumar, aged about 45 years, who has been confined illegally by the 2nd respondent in the form of house arrest at her residence bearing Door No.19, D1, Block, Taisha Apartments, Natesan Nagar, Virugambakkam, Chennai – 600 092, before this Court and set her liberty forthwith.

2. When the matter was taken up for hearing, Court found that deployment of Police nearby the house of the detenu would amount to an illegal detention.

3. The learned Additional Public Prosecutor appearing on behalf of the respondents has taken the issue in a right spirit and undertook the advise, so as to remove all such obstructions caused by the Police by deploying police



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personnel nearby the house of the detenu.

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4. When the matter is taken up today, the learned Additional Public Prosecutor would submit that suitable actions are taken to redeploy the Police personal, who were originally deployed nearby house of the detenu. It is made clear that any such deployment of police without any valid reason amounts to an illegal detention.

5. Thus, the Police Authorities are not expected to interfere with the liberty of a citizen, which is a Fundamental Rights enunciated under Chapter III of the Constitution of India. Since action has been already taken and the grievances of the petitioner are redressed, no further adjudication needs to be undertaken. Consequently, Habeas Corpus Petition stands disposed of.

[S.M.S., J.] [A.D.M.C.,
J.]

25.09.2024

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Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order



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To

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Vepery, Chennai – 600 007.
- 2.The Inspector of Police,
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Chennai.
- 3.The Additional Public Prosecutor,
Madras High Court.



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S.M.SUBRAMANIAM, J.
and
A.D.MARIA CLETE, J.

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