



H.C.P.(MD) No.879 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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Kasthuri Kala

... Petitioner

-VS-

1.The State represented through
The Commissioner of Police,
Alagar Kovil Road,
Madurai City.

2.The Inspector of Police,
Thallakulam Police Station,
Madurai City.

3.Vinothini

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 & 2 to produce body or person of petitioner's son namely Krishnakumar (aged about 35 years) S/o.Marisamy before this Court and set him at liberty forthwith.



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For Petitioner : Mr.K.Neelamegam
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Habeas Corpus Petition has been filed by the mother of the detenu seeking to produce the alleged detenu namely Krishnakumar, S/o.Marisamy, aged about 35 years before this Court and set him at liberty.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that after the orders passed on 25.07.2024, the alleged missing person Krishnakumar surrendered before the High Court Police Station today. He has also given a statement that fearing further action based on the criminal case registered against him, without informing his family members he had gone to various places and thereafter, on seeing the news about him in the media had returned back to High Court and he has appeared before High Court Police Station. He would also submit that he was not in illegal custody of anybody.



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3. We enquired the alleged missing person. He submitted that fearing further action based on the criminal case registered against him, he had without informing the family members gone to various places and later coming to know about the case from the television, he had appeared before the High Court Police Station and he is not in the illegal detention of anybody. He reiterated that fearing the police action, he has gone to various places.

4. The third respondent is also present before this Court. We enquired the third respondent. The third respondent submitted that only after the missing person had fixed a camera focusing her house, her sister had given a complaint. She further submitted that she does not know the missing person earlier and she stoutly refuted the allegation that she compelled the family members of the missing person to sell the house to her. She further submitted other than that her sister has given complaint against the missing person, she does not know even the name of the petitioner.



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5. Finding that the alleged missing person is not in illegal detention of anybody, this habeas corpus petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
30.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
am

To:

- 1.The Commissioner of Police,
Alagar Kovil Road,
Madurai City.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

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