



H.C.P.(MD) No.912 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

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

H.C.P.(MD) No.912 of 2024

Devika

... Petitioner

-VS-

1.The Superintendent of Police,
Sivagangai District
Sivagangai

2. The Inspector of Police
Town Police Station,
Sivagangai District, Sivagangai

... 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 the body or person of the petitioner's son namely Manivannan @ Kuttymani son of Selvam aged about 22 years before this Court and set her at liberty.

For Petitioner :Mr.M.Murugesan

For Respondents :Mr.R. Meenakshi Sundaram
Additional Public Prosecutor



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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 person or body of the petitioner's son namely Manivannan @ Kuttymani son of Selvam aged about 22 years.

2. The case of the petitioner is that her son Manivannan @ Kuttymani has gone to Sivagangai to attend the hearing of a case at Principal District Court at Sivagangai on 22.07.2024, but he did not return to home. The petitioner had enquired her son's advocate and he had informed that her son did not attend the Court on that day. Later, during enquiry, she came to know that a Special Team of Police of Sivagangai District had taken her son and kept in illegal custody. Since her son was not produced before the Judicial Magistrate Court, the petitioner, apprehending danger to his son's life, had approached this Court.

3. When the matter was taken up for hearing today, learned Additional Public Prosecutor submitted that the son of the petitioner is a habitual offender and against him several cases are pending. The son of the



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petitioner is involved in a case registered by Kalaiyarkovil Police station in Crime No.338 of 2024 under Sections 309(4) of BNS and he was arrested yesterday and the police are taking steps to produce him before the jurisdictional Court concerned.

4. In view of the submission made by the learned Additional Public Prosecutor that the petitioner's son was arrested in respect of Crime No.338 of 2024 on the file of Kalaiyarkovil Police Station, this court feels that the petitioner cannot claim that her son has been detained illegally and thereby the present Habeas Corpus Petition is liable to be closed.

5. Accordingly this Habeas Corpus Petition stands closed.

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

[K.R.S., J.]

NCC : Yes / No
Index : Yes / No
Internet: Yes / No
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Madurai Bench of Madras High Court,
Madurai.



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AND
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