



H.C.P.(MD) No.927 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

H.C.P.(MD) No.927 of 2024

Palavesathammal

... Petitioner

-vs-

1.The State of Tamil Nadu
The Superintendent of Police
Thoothukudi District
Thoothukudi

2.The Inspector of Police
SIPCOT Police Station
Thoothukudi
Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to produce the body or corpus of the petitioner's son detinue viz. Sankar (Age-22), son of Esakki Muthu, before this Court and set him at liberty forthwith.

For Petitioner : Mr.P.M.Vishnu Varthanan

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.]

The petitioner has filed this habeas corpus petition seeking a direction to the respondents to secure her son, namely, Sankar, aged about 22 years, produce him before this Court and set him at liberty.

2. The case of the petitioner that her son Sankar, aged 22 years, was missing from the year 2021. She had preferred a complaint to the second respondent. However, the second respondent had not taken any action based on her complaint. Hence, fearing apprehension to the life of her son, the petitioner has filed this habeas corpus petition.

3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the detenu is the son of the petitioner. He had left the home during the year 2021 and had been working as a daily wager in the construction line. While he was working so in Coimbatore, he married one Aarthi and got a male child and they are living in Coimbatore. Since the detenu had refused to join the family, the petitioner has filed this habeas corpus petition. During enquiry, based on the mobile



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number of the detenu, he was asked to appear for enquiry before the respondent – Police and during such time, he was directed to appear before this Court. Accordingly, he is present before this Court today.

4. We enquired the detenu. On enquiry, he submitted that the petitioner is his mother and he left the home during the year 2021 and he was employed in the construction line and during such time, he married one Arthi and got a male child. Since the marriage was not known to the family members, he had not gone to home. He would further submit that he is not in illegal detention of any body.

5. Recording the above submission of the detenu, 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

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Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi,
Thoothukudi District.
- 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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