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H.C.P.No.1230 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.1230 of 2024

K.Chandrakala

... Petitioner/Detenuer's Friend

-VS-

1. The Commissioner of Police,
Chennai City.

2. The Inspector of Police,
St.Thomas Mount Police Station,
Chennai.

3. M.Abubuckar

4. Shahul Hameed

5. A.Sameeullahkhan

6. Mrs.Fathimuthusohara

7. Mohammed Abdul Rahuman

8. Makhdoom M.Iqbal

... Respondents

(R5 to R8 impleaded as per order of this Court dated 21.08.2025)

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the 2nd respondent herein to produce the petitioner's friend, namely, Mr.Kother Adam, S/o.Mohammed Abubucker, aged about 74 years from the illegal custody of the 3rd and 4th respondents and set him at liberty.



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For Petitioner : Mr.M.Velmurugan
For R1 & R2 : Mr.A.Damodaran
Addl. Public Prosecutor
Assisted by Mr.M.Karthikeyan
Advocate
For R3 & R4 : Mr.K.Thenrajan
For R5 : Mr.J.Kathar Hussain
For R6 : Mr.S.Abdul Vahab
For R7 & R8 : Mr.R.Sivaraman

ORDER

The petitioner seeks production of his friend, namely, Kother Adam, S/o.Mohammed Abubucker, aged about 74 years, who is a Senior Lawyer before this Court, on the ground that he is in the illegal custody of R3 & R4, who are said to be relatives of the detainee and set him at liberty. In the meanwhile, the detainee died naturally due to ill-health.

2. In such view of the matter, nothing survives for further adjudication in this matter. Hence, this petition is dismissed as infructuous. It is for the legal heirs of the deceased to agitate their rights before the appropriate forum in the manner known to law.



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3. At this juncture, it is stated by the private respondents that the petitioner has been squatting over the office of the deceased. Needless to state that if aggrieved, necessary legal action can be appropriated against the petitioner as per law.

4. Registry is directed to return all original records to R6 and R7, who are sister and brother of the detenue respectively as per the Legal Heirship Certificate bearing No.TN-720240919223 dated 14.10.2024 (as stated in Crl.M.P.No.17847 of 2024) forthwith.

(N.S.K,J.,) (M.J.R,J.,)
03.11.2025

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To:

1. The Commissioner of Police,
Chennai City.
2. The Inspector of Police,
St.Thomas Mount Police Station,
Chennai.
3. The Deputy Commissioner of Police,
St.Thomas Mount, Chennai.
4. The Public Prosecutor,
High Court, Madras.

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AND
M.JOTHIRAMAN, J.
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