



H.C.P.No.1878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1878 of 2025

Ramya

... Petitioner

Vs.

The State represented by

1. The Superintendent of Police,
Erode District.

2. The Deputy Superintendent of Police,
Bhavani Sub-Division,
Chithode Police Station, Erode District.

3. The Superintendent of Prison,
District Jail, Tiruppur,
Tiruppur District.

4. The Inspector of Police,
Chithode Police Station.

... Respondents

Prayer: This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue Writ of Habeas Corpus to direct the respondents to produce the detainee, P.Jeevagan, S/o.Purusothaman, aged 34 years, presently confined in District Jail, Tiruppur, before this Court and set him at liberty forthwith, holding his continued detention as illegal, unconstitutional, and violative of fundamental rights.



H.C.P.No.1073 of 2020

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor,
assisted by Mr.M.Karthikeyan

ORDER

(Order of the Court was made by P.VELMURUGAN, J.)

The petitioner, who is the wife of the detenu Jeevagan S/o.Purusothaman, male, aged 34 years, has come forward with this petition seeking directions to the respondents to produce the detenu before this Court and set him at liberty on the ground that the detention is illegal.

2 According to learned counsel for the petitioner, since the police did not file Final Report within the stipulated period, detenu/accused is entitled to statutory bail and the Court below granted only interim bail, even though accepted that the Final Report has not been filed within the stipulated period and also while granting interim bail imposed stringent conditions, which are unsustainable in law.

3 The learned Public Prosecutor submitted that the detenu is a habitual offender and the Court below considering the antecedents of the detenu and the gravity of offence committed, rightly granted interim bail and after expiry of the interim bail,



the detenue voluntarily surrendered as ordered by the Court. Therefore there is no illegal custody as alleged by the petitioner and this petition is liable to be dismissed.

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4 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

5 The case in Cr.No.137 of 2025 has been registered against the husband of the petitioner for the offence under Sections 49, 61(2), 3(5), 191(2), 191(3), 109(1) 103 BNS and Section 3(2)(v)(va) of SC/ST (PoA) Act and the detenue was arrested and remanded to judicial custody on 20.03.2025. Thereafter, the detenue has filed petition in Crl.M.P.No.1642 of 2025 under Section 483 BNSS seeking bail on the ground that the respondent police has not filed charge sheet within the statutory period. The learned Principal District and Sessions Judge, Erode, after considering all the facts, granted interim bail on certain conditions vide order dated 26.06.2025. As per the order dated 26.06.2025 he was released on bail and he enjoyed the interim bail granted by the Court below. Further the detenue also challenged the order of interim bail and the conditions imposed therein, before this Court in Crl.A.No.612 of 2025 and this Court after hearing both the counsel, by judgment dated 25.07.2025 dismissed the appeal, observing that the petitioner is a notorious criminal.

**6**

It is seen that after expiry of the interim bail granted by the Court below, the detainee himself voluntarily surrendered and there is no illegal detention or custody as contended by the learned counsel for the petitioner. The Principal District and Sessions Judge, Erode, after considering the facts that this is a case of pre-planned murder and the detainee is a notorious criminal, has granted only interim bail imposing certain conditions. The petitioner also enjoyed the order of interim bail and has voluntarily surrendered, after expiry of the interim bail as ordered by the Court below. Therefore it is clear that there is no illegal detention or illegal custody.

7 In the result, this Habeas Corpus Petition is dismissed.

[PVJ]**[MJRJ]****05.12.2025**

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To

1. The Principal District and Sessions Judge, Erode.
2. The Superintendent of Police, Erode District.
3. The Deputy Superintendent of Police, Bhavani Sub-Division, Chithode Police Station, Erode District.
4. The Superintendent of Prison, District Jail, Tiruppur, Tiruppur District.
5. The Inspector of Police, Chithode Police Station.
6. The Additional Public Prosecutor, Madras High Court.



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