

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.4352 Discharge of prisoner; enforcement of order; obedience by sheriff or other custodian.

Sec. 4352. (1) If no legal cause is shown for the restraint, or for the continuation thereof, the court or judge shall discharge the person restrained from the restraint under which he is held.

(2) Obedience to any order for the discharge of any prisoner may be enforced by the court or judge granting such order, by arrest in the same manner as is herein provided for disobedience to a writ of habeas corpus, and with like effect in all respects. The person guilty of disobedience to an order for the discharge of any prisoner is liable to the party aggrieved in the sum of \$1,000.00 damages, in addition to any special damages the party may have sustained.

(3) No sheriff or other officer is liable to any civil action for obeying any such order of discharge.

History: 1961, Act 236, Eff. Jan. 1, 1963.