

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.08.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN  
AND  
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1037 of 2015

B.Mohan

... Petitioner/Father  
of the Detenue

-Vs-

1. The Superintendent of Police,  
Thiruvallur,  
Thiruvallur District.
2. The Deputy Superintendent of Police,  
Ponneri Taluk,  
Thiruvallur District.
3. The Inspector of Police,  
E-2,Thirupalaivanam Police Station,  
Ponneri Taluk,  
Thiruvallur District.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents 1 to 3 herein to produce the petitioner's son Satheeshwaran, aged about 20 years, before this Court and to set him at liberty forthwith.

For Petitioner : Mr.V.Kasinathabharathi

For Respondents : Mr.A.N.Thambi Durai  
Additional Public Prosecutor

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O R D E R  
(Order of the Court was made by S.TAMILVANAN,J.)

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

2.This petition has been filed by the petitioner/father of the detenu Satheeshwaran, aged 20 years, directing the respondents to cause production of his son/the detenu before this Court and to set him at liberty.

3.It is submitted by the learned Additional Public Prosecutor that the alleged detenu Satheeshwaran, aged about 20 years, went along with his friends for taking bath in the Sea and in spite of objection raised by his friends, he was swimming in the Sea. Subsequently, the body of the Satheeshwaran was not recovered and only his friends were returned and hence it is presumed that the detenu would be gone away along with the high tides and that is why the body of the detenu was not reached to Sea-shore and that the same is not sufficient to presume that he is no more.

4.It is also submitted by the learned Additional Public Prosecutor that one of the friends of the detenu who accompanied him, while taking bath, has taken a video through his cell phone. As directed by this Court, a copy of the CD relating to the occurrence, was also furnished by the learned Additional Public Prosecutor to the learned counsel for the petitioner.

5.On the said circumstances, we find it just and reasonable to close this Habeas Corpus Petition. Accordingly, this petition is closed as nothing further remains to be considered. However, it is made clear that the petitioner is at liberty to seek remedy before the appropriate forum, on enquiry, with regard to the occurrence relating to the alleged detenu.

Sd/-  
Assistant Registrar(CS III)

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सत्यमेव जयते Sub Assistant Registrar

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To

1. The Superintendent of Police,  
Thiruvallur,  
Thiruvallur District.
2. The Deputy Superintendent of Police,  
Ponneri Taluk,  
Thiruvallur District.

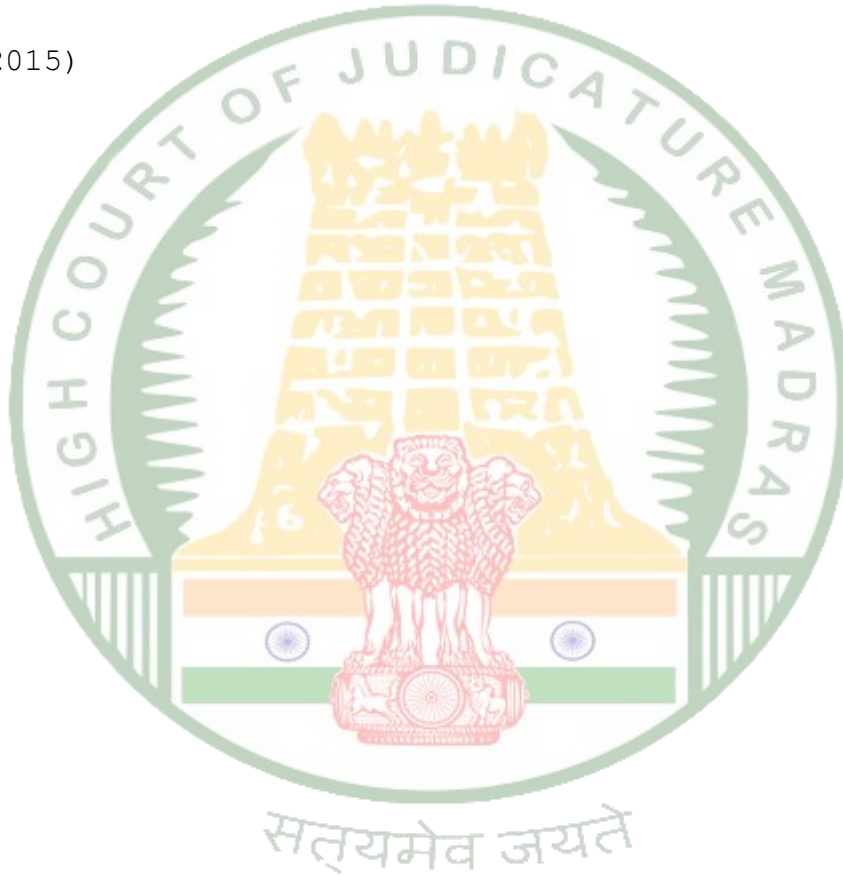
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3. The Inspector of Police,  
E-2, Thirupalaivanam Police Station,  
Ponneri Taluk,  
Thiruvallur District.

4. The Public Prosecutor,  
High Court of Madras,  
Chennai 600 104.

H.C.P. No.1037 of 2015

GR (CO)  
CA (02/09/2015)



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