

In the High Court of Judicature at Madras

Dated: 23.11.2015

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR

and

The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.1993 of 2015

Ammurani

... Petitioner

Vs.

1. The Commissioner of Police,
Vepery, Chennai - 600 007.

2. The Inspector of Police,
D-2 Anna Salai P.S. (L&O)
Egmore, Chennai - 600 002.

... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondents to produce the detenu or bring the body of the petitioner's son N.Prabhu son of Nandakumar before this Court and set him at liberty.

For Petitioner : Mr.P.Paul Selvam

For Respondents : Mr.A.N.Thambidurai,
Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition is filed by the mother of the detenu, N.Prabhu, seeking direction to the respondents to produce the detenu before this Court and set her at liberty.

2. It is the case of the petitioner that her son went missing from 23.08.2014. According to the petitioner, his son went to the Bank to get money, but he did not return back. In this regard, on a complaint lodged by the petitioner, a case in Crime No.80 of 2015 for man missing has been registered by the D-2 Anna Salai Police Station and investigation is pending.

3. The respondent police have filed a status report dated 28.11.2015 detailing the steps that have been taken by them to secure the detenu. It is on record that the detenu has taken loan from large number of people and owes substantial money and for that reason, he has been avoiding and has gone underground. It appears that the number of transactions, which are reported in the status report, clearly establishes that it is not a case of illegal detention by anyone, but it is a case where the detenu has hidden himself from the clutches of law. Therefore, we find no reason to issue Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition stands closed with a direction to the respondent police to proceed with the investigation in Crime No.80 of 2015 and keep the petitioner informed about the developments.

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Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
D-2 Anna Salai P.S. (L&O)
Egmore, Chennai - 600 002.
3. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.P.Paul Selvam, Advocate in SR.NO.63240

H.C.P.No.1993 of 2015

SV(CO)

sd : 14/12/2015