

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 01.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR. JUSTICE P.N.PRAKASH

H.C.P. NO. 365 OF 2015

M.Muthuvel

.. Petitioner

- Vs -

1. The Superintendent of Police
Krishnagiri District.

2. The Inspector of Police
Hosur Town Police Station
Hosur, Krishnagiri.

.. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of habeas corpus directing the respondents 1 and 2 to produce the petitioner's father, Madhu, aged about 60 years, before this Court and set him at liberty.

For Petitioner : Mr. M.Selvam

For Respondents : Mr. A.N.Thambidurai, APP

ORDER

(DELIVERED BY P.N.PRAKASH, J.)

This petition has been filed by the petitioner, the son of the detenu, Madhu, aged about 60 years, for a direction to the respondents to produce the detenu before this Court and set him at liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Addl. Public Prosecutor appearing for the respondents.

3. It is the case of the petitioner that his father went missing in the year 2007 in connection with which the petitioner lodged a complaint before the second respondent, which has been registered in Crime No.651/2007 for 'Man Missing'. It is averred by the petitioner that though the complaint has been

registered, the respondents are not taking any serious effort to secure the detenu and, hence, the present petition has been filed.

4. It is evident from the typed set that the present petition has been filed after a period of seven years from the year in which the complaint was registered by the respondent police. Further, it is also evident from the petition that there is no allegation of illegal detention of the detenu by any person. Therefore, this Court is of the considered opinion that there is no necessity warranting issuance of a writ of habeas corpus.

5. Accordingly, this habeas corpus petition is closed with a direction to the respondents to proceed with the investigation and keep the petitioner informed of any break through in the investigation.

GLN

Sd/-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police
Krishnagiri District.
2. The Inspector of Police
Hosur Town Police Station
Hosur, Krishnagiri.
3. The Public Prosecutor
High Court, Madras.

+ 1 cc to M/s.M.Selvam, Advocate SR 65374

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