

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 03.11.2015

CORAM

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

H.C.P. NOS. 2109 & 2325 OF 2014

D.Kamalammal ... Petitioner in HCP 2109/14

R.Kanchana @ Lakshmi ... Petitioner in HCP 2325/14

- Vs -

1. The Superintendent of Police
O/o Superintendent of Police
Vellore district, Vellore.
2. The Inspector of Police
Virudhampet Police Station
Gandhinagar, Vellore. ... Respondents in HCP 2109/14
1. State rep. by
The Inspector of Police
Viruthampettu Police Station
Vellore District, Vellore.
2. The Inspector of Police
S.15, Selaiyur Police Station
Chennai.
3. S.Vasantha
4. Nesamani
5. Sendurapandian ... Respondents in HCP 2325/14

H.C.P. No.2109/14 filed for the issuance of a writ of habeas corpus directing the respondents to produce the petitioner's son, D.Raja, aged 42 years residing in No.89, Kangeyanallur Road, Gandhinagar, Vellore, before this Court and set him at liberty.

H.C.P. No.2325/14 filed for the issuance of a writ of habeas corpus directing the second respondent to produce the petitioner's husband, D.Raja, s/o S.Dharma Chetty, aged 45, who is illegally detained by the third and fourth respondents before this Court and set him at liberty.

For Petitioner : Mr. R.Gopinath in HCP 2109/14
Mr. S.Sivakumar in HCP 2325/14

For Respondent : Mr. Mr.A.N.Thambidurai, APP for RR-1 & 2
in both the petitions
Service Awaited - RR-3 to 5 in HCP 2325/14

COMMON ORDER

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

These habeas corpus petitions have been filed by the respective petitioners, viz., the mother and wife of the detenu, D.Raja, for a direction on the respondent/police to secure the detenu and produce him before this Court and set him at liberty.

2. Heard the learned counsel appearing for the respective petitioners and the learned Addl. Public Prosecutor appearing for the respondent/police.

3. It is seen that on the complaint lodged by Kamalammal, the mother of the detenu, a case in Crime No.606/14 was registered by the Viruthampet Police Station under the head 'Man Missing'. Similarly, on the complaint given by Kanchana, the wife of the detenu, Selaiyur Police Station have registered a case in Crime No.896/14 under the very same head.

4. It is brought to the notice of this Court by the learned Addl. Public Prosecutor that the case in Crime No.606/14 has been transferred to the file of Selaiyur Police Station and is now under investigation along with Crime No.896/14.

5. The respondents have filed a status report stating that the alleged detenu was taking treatment in a hospital in Selaiyur and, thereafter, he went missing. The status report further discloses the steps taken by the police by forming a special team to secure the detenu. However, despite the best efforts, the police are not able to secure the detenu till date. Further, it is evident from the status report that there is no illegal detention of the detenu by one or other person as alleged in the respective petitions.

6. In the above circumstances, recording the above status report, these petitions are closed with a direction to the Selaiyur Police to proceed with the investigation in Crime No.896/14 in accordance with law and take steps for securing the detenu at the earliest. Any information that may be unearthed by the police shall be communicated to both the petitioners, viz., the mother and wife of the alleged detenu.

7. With the above observation both the habeas corpus petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

GLN

To

1. The Superintendent of Police
O/o Superintendent of Police
Vellore district, Vellore.
2. The Inspector of Police
Virudhampet Police Station
Gandhinagar, Vellore.
3. The Inspector of Police
S.15, Selaiyur Police Station
Chennai.
4. The Public Prosecutor
High Court
Madras.

+1 cc to Mr.R.Gopinath, Advocate, sr.60620
+1 cc to Mr.S.Sivakumar, Advocate, sr.60815

H.C.P. NOS.2109 &
2325 OF 2014

kk co
kra 25.11.2015

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