

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.NO.2758 OF 2014

E.Egambaram ... Petitioner

- Vs -

1. The Commissioner of Police
Vepery, Chennai.
2. The Inspector of Police
H-3, Tondiarpet Police Station
Old Washermanpet
Chennai.

.. Respondents

Petition filed Under Article 226 of the Constitution of India, for the issuance of a writ of habeas corpus directing the respondent to produce the petitioner's son, E.Mani @ Manigandan, aged about 16 years before this Court and set him at liberty.

For Petitioner : Mr. D.Asenthamani

For Respondent : Mr. A.N.Thambi Durai,
Additional Public Prosecutor

ORDER

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

This petition has been filed by the petitioner, the father of the alleged detenu, E.Mani @ Manigandan, for a direction on 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 respondent.

3. It is seen from the affidavit filed in support of the petition that the petitioner's son, viz., E.Mani @ Manigandan, along with four of his friends, had gone to the swimming pool at the Marina Beach. While three of his friends returned, the petitioner's son as well as one of his friend Saravanan did not return. Later, the body of Saravanan was washed ashore and retrieved by the police, but the body of the petitioner's son, E.Mani @ Manigandan, is yet to be traced. Since the petitioner's son did not return, the petitioner lodged a complaint with the respondent police which was registered in Crime No.783/14 under the section 'Boy Missing' and investigation is in progress.

4. The respondent police have filed status report detailing the steps taken by them for tracing the missing boy. It is seen that the District Crime Records Bureau and the State Crime Records Bureau have also been intimated and the details of the missing boy have been posted in the official website of the Tamil Nadu Police. The above facts clearly indicate that the alleged detenu, E.Mani @ Manigandan, is not under illegal custody, which fact is also evident from the petition.

5. In the above circumstances, this Court directs the respondent police to earnestly pursue the investigation in Crime No.783/14 to trace the missing boy and keep the petitioner informed of any development/break through in the investigation.

6. With the above observation this habeas corpus petition stands closed.
GLN

Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Public Prosecutor, High Court, Madras.
2. The Commissioner of Police, Vepery, Chennai.
3. The Inspector of Police
H-3, Tondiarpet Police Station
Old Washermanpet, Chennai.

+ 1 cc to Mr.D.Asenthamani, Advocate Sr 61145 (5/1/16)

H.C.P. NO.2758 OF 2014

SV(CO)

sd : 26/11/2015