



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.1280 of 2014

K.Ramavelu

.. Petitioner

Vs.

1. The Director General of Police,
Beach Road,
Chennai.

2.The City Commissioner of Police,
Trichy City, Trichy.

3.The Inspector of Police,
Edamalaipatti Pudur,
Trichy City.

4.The Inspector of Police,
Jeeyarpuram Police Station,
Trichy City.
(Fourth Respondent is impleaded
as per order dated 18.03.2015
made in M.P(MD)No.2 of 2015).

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the body or person of husband of the petitioner by name Karthickvel, S/o.Karuppiah, aged about 33 years before this Court and set him at liberty.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor.

O R D E R

[Order of the Court was made by **S.NAGAMUTHU,J**]

The petitioner is the wife of one Mr.Karthickvel. According to the petitioner, on 24.09.2014 Karthickvel had gone to Tiruchirappalli, where he was working. She has further stated that one Guna gave an information that while Mr.Karthick was swimming in the Cauveri River at Kamparasanpatti dam. He was washed up by heavy inflow of water. The body could not be recovered. With these allegations, the petitioner has come up with this Habeas Corpus Petition.



2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. The learned Additional Public Prosecutor would submit that in respect of the above incident, a case has been registered in Crime No.102 of 2015 for 'man missing'. He would further state that Mr.Guna @ Gunasekaran, Son of Annadurai, who accompanied Mr.Karthickvel, has given statement that despite the warning given, Mr.Karthickvel entered in to the river to swim. But, unfortunately, due to heavy inflow of water, he was washed off. The information was passed to Fire and Rescue Services and they were also tried their level best. But, the body could not be recovered. The case is under investigation.

4. In the above said circumstances, in our considered view, since there is no illegal detention and since the deceased had fallen in the river, we are inclined only to dismiss this petition as no direction as prayed for could be given. Therefore, this Habeas Corpus Petition is dismissed. However, the respondent police shall continue the investigation.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Beach Road,
Chennai.
2. The City Commissioner of Police,
Trichy City, Trichy.
3. The Inspector of Police,
Edamalaipatti Pudur,
Trichy City.
4. The Inspector of Police,
Jeeyarpuram Police Station,
Trichy City.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. C.M.Arumugam, Advocate in SR.No 53412

TS/21.09.2015/2P - 7C

SK-SKN/SAR -I