



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No. 225 of 2014

M.S.Napolean

.. Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Sencottah Police Station,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the person or body of the detenu, namely S.Kanagavalli, D.o.Sundararaj, aged about 25 years before this Court and hand over custody to the petitioner.

For Petitioner : Mr.Vaigunth

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

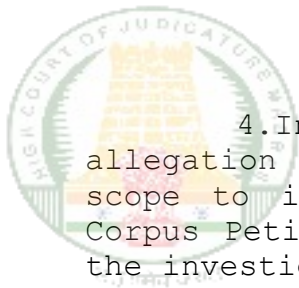
O R D E R

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

The petitioner is the father of one Ms.S.Kanagavalli, aged 25 years. Ms.Kanagavalli is a mentally retarded person. According to the petitioner, therefore, Mrs. Kanagavalli was kept in their house safely and taken care of. It is further alleged that on 22.02.2013, the petitioner and the other family members had gone out for agricultural operation, leaving Kanagavalli alone at home. When they returned about 4.00 p.m. she was missing. In this regard, a case has been registered in Crime No. 24 of 2014 on the file of the second respondent and the same is under investigation. In those circumstances, the petitioner has come up with this petition.

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

3.The learned Additional Public Prosecutor would submit that the investigation is taken in a right direction and every possible steps are taken to find out the mentally retarded detenu, viz., Kanagavalli.



4. In view of the said submission made, since there is no allegation of any illegal detention, we are of the view that there is no scope to issue any direction as prayed for. Accordingly, this Habeas Corpus Petition is dismissed. However, the respondent shall proceed with the investigation expeditiously.

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/True Copy/

Sd/-

Assistant Registrar (Per.Admn)

Sub Assistant Registrar

PJL/RR

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Sencottah Police Station, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

GJM/JGB/DP/15.9.15-2P-4C

ORDER MADE IN
H.C.P (MD) No.225 of 2014
01.09.2015