



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.1010 of 2015

R.Suyamprakasam

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Susindram Police Station,
Susindram,
Kanyakumari District.

3.Nagendran

4.Balakrishnan

5.Saravanan

6.Jeyakanthan ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu namely Senthil Kumar S/o.Ramaiah Nadar, aged about 31 years before this Court and set him at liberty.

For Petitioner

: Mr.K.Seemaraj

For Respondents

: Mr.K.S.Duraipandian,

1 & 2

Addl. Public Prosecutor

For respondents

3 to 6

: Mr.K.Prabhu

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner is the brother of one Mr.Senthil Kumar, S/o.Ramaiah Nadar, aged about 31 years. It is alleged that he was the Treasurer of an association known as Vengai Narpani Mandram. The respondents 3 to 6 are the other office bearers of the said association. There are some dispute in respect of the affairs of the said association. It is alleged that from 01.12.2014, the detenu has been found missing. On a complaint made, the second



respondent has registered a case in Crime No.753 of 2014 for man missing and the same is now under investigation. Since the detenu has not been secured so far, the petitioner has come up with this petition.

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

3. The learned Additional Public Prosecutor would submit that the investigation in the case has taken the right direction and it is under progress.

4. In our considered view, since the case has been registered and the investigation is also going on, there is no scope to pass any order in this Petition. It is for the petitioner to work out his remedy elsewhere, if he has got any grievance regarding the manner of the investigation.

5. In such view of the matter, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
Susindram Police Station,
Susindram,
Kanyakumari District.

3. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.K.Prabhu, Advocate, SR.No.43555

gcg

RL/5 c- 19/8/2015

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