



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.1155 of 2015

Sankara Gomathi

... Petitioner

Vs.

1. State represented by the
Superintendent of Police,
Tirunelveli District,
Tirunelveli.

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

3. Chandra Mohan

4. Ramya

5. Yuvankumar @ Karthick

6. Karthick ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of detainee namely Nataraj Muthu Pandiyan S/o. Sorimuthu, aged 28 years before this Court and set him at liberty.

For Petitioner

: Mr. S.M.A. Jinnah

For Respondents
1 & 2

: Mr. K.S. Duraipandian,
Addl. Public Prosecutor

For respondents 3 to 6

: No appearance

ORDER

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

The petitioner is the mother of one Mr. Nataraj Muthu Pandiyan, aged about 28 years. According to the petitioner, he has been found missing from the year 2013 onwards. But, the petitioner made a complaint to the second respondent only on 05.03.2015. Based on the same, a case has been registered in Crime No.65 of 2015 for man missing. But, so far the boy has not been secured is the grievance of the petitioner.



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

3. For missing of the boy in the year 2013, the complaint has been made only in the year 2015. The learned counsel for the petitioner would submit that even in the year 2013, a complaint was directly made to the Inspector of Police, but no action was taken. But, no material has been produced to substantiate the said contention. It is not a case of illegal detention requiring any further direction from this Court. Therefore, no direction, as prayed for, can be given in this Habeas Corpus Petition, except issuing a direction to the second respondent Police to expedite the investigation.

4. In view of the above, this Habeas Corpus Petition is dismissed, however, with a direction to the second respondent Police to expedite the investigation and to find out the missing boy forthwith.

Sd/-
Assistant Registrar (Per. Admn)

/True Copy/

Sub-Assistant Registrar

To

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

+One cc to M/s.S.M.A.Jinnah, Advocate, SR.No.59024

gcg
RL/5 c- 19/10/2015

H.C.P. (MD) No.1155 of 2015