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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Habeas Corpus Petition (MD) No.1423 of 2015

Ramesh

... Petitioner

Vs.

1.The Principal Secretary,
Home Department,
State of Tamil Nadu,
Secretariat,
Fort St., George,
Chennai.

2.The State of Tamil Nadu,
Rep by
The Principal Secretary,
Health and Family Welfare Department,
Fort St., George,
Chennai.

3.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road,
Chennai.

4.The Additional Director General of Police,
CBCID,
Office of the Additional Director General of Police,
Chennai.

5.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City,
Madurai.

6.The Dean,
Madurai Government Rajaji Hospital,
Madurai.

7.The Inspector of Police,
B-15, Mathichiyam (Law and Order) Police Station,
Madurai City,
Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Habeas Corpus, directing the
<https://hcservices.ecourts.gov.in/hcservices/>
respondents produce the body or person of Petitioners son Namely
Dhinesh Son of Ramesh aged 9 years(at the time of missing aged 3



Months) before this Honourable court and set him at liberty and hand over the custody of the detenu to the petitioner.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.K.S.Duraipandian,
Additional Public Prosecutor.

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ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The petitioner has filed this Habeas Corpus Petition seeking for a direction to the respondents to produce the body or person of petitioner's son namely, Dhinesh, S/o.Ramesh, aged 9 years (at the time of missing aged 3 months) before this Court and set him at liberty and hand over the custody of the detenu to the petitioner.

2.According to the petitioner, when the child was brought for weekly check up in the Government Rajaji Hospital, Madurai, the Doctors admitted his child in intensive care unit for treatment. After some point of time, the child was found missing. Therefore, after searching several places in the hospital, the petitioner's wife had given a complaint before the seventh respondent police. Based on the said complaint, a case in Crime No.678 of 2006 has been registered by the seventh respondent. Finding no further progress in the investigation, the petitioner is before this Court by way of the present Habeas Corpus Petition after a prolonged passage of time.

3.Though in the affidavit the petitioner has stated that the detenu is his son, except complaint given to the police, no document like birth certificate or other relevant document has been furnished to support such a claim. Hence, this Habeas Corpus Petition is dismissed giving liberty to the petitioner to file fresh petition along with necessary documents. Consequently, M.P(MD)Nos.1 and 2 of 2015 are closed.

Sd/-
Assistant Registrar

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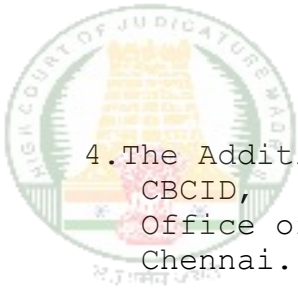
Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Home Department,
Fort St., George,
Chennai-600 009.

2.The The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St., George,
Chennai-600 009

3.The Director General of Police,
Chennai-600 004.



4.The Additional Director General of Police,
CBCID,
Office of the Additional Director General of Police,
Chennai.

5.The Commissioner of Police,
Madurai City,
Madurai.

6.The Dean,
Madurai Government Rajaji Hospital,
Madurai.

7.The Inspector of Police,
B-15, Mathichiyam (Law and Order) Police Station,
Madurai City,
Madurai.

+1cc to Mr.R.Alagumani, Advocate SR.No.58811

Habeas Corpus Petition (MD) No.1423 of 2015

05.10.2015

sms

NS/NGM-SS/04.11.2015 : 3P/9C