



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No. 737 of 2015

Thaiyammal

.. Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District.
2. The Inspector of Police,
Nallatinputhur Police Station,
Thoothukudi District.
3. Murugalakshmi
4. Saravanan
5. Jothimuthu
6. Devarathinam
7. Muthusamy
8. Sorimuthu
9. Murugesan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, praying for a direction to the respondents 1 and 2 to produce the person or body of petitioner's son, the detainee, namely Thothirakani, S/o.Late. Murugesan, aged about 33 years, before this Court and set him at liberty.

For Petitioner	: Mr.S.Poorna Chandran
For Respondents 1&2	: Mr. K.S.Duraipandian Additional Public Prosecutor
For R3 to R9	: No Appearance

O R D E R

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

The petitioner is the mother of one Thothirakani, S/o.Murugesan, aged 33 years. According to the petitioner, Mr. Thothirakani was taken to Chennai in the year 2007 for some work, but he did not return thereafter. The petitioner has made a complaint in this regard, only after eight years. Based on the same, a case has been registered in Crime No.172 of 2015 for 'man missing' and same is under investigation. In this circumstance, the petitioner has come up with this Habeas Corpus Petition.



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

3. There is no explanation for the delay of about eight years in making the compliant. The investigation is taken in a right direction and it not a case of illegal detention, we are inclined to dismiss this petition.

4. In view of the same, this Habeas Corpus Petition is dismissed, leaving it open for the petitioner to work out her remedy in the manner known to law.

Sd/-
Assistant Registrar[Per.Admn]

/True copy/

Sub Assistant Registrar

To

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

+1 cc to Mr.J.Selvam, Advocate SR.No.47461.

ORDER MADE IN
H.C.P(MD)No.737 of 2015

18.08.2015

P2/5C
SH:JGB-DP:03.09.2015