

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR. JUSTICE P.N.PRAKASH

H.C.P. NO. 1372 OF 2015

M.Mullai

.. Petitioner

- Vs -

1. State rep. by
Superintendent of Police
Tiruvannamalai District.
2. 2. Deputy Superintendent of Police
Chengam Taluk
Tiruvannamalai District.
3. State rep. by
Inspector of Police
All Women Police Station
Chengam, Tiruvannamalai District.

... Respondents

Petition filed for the issuance of a writ of habeas corpus directing the third respondent to produce the detenu M.Prabhakaran, S/o Munuswamy, aged about 28 years, before this Court and set him at liberty.

For Petitioner : Mr. S.Venkatesh

For Respondents : Mr. A.N.Thambidurai, APP

ORDER

(DELIVERED BY P.N.PRAKASH, J.)

This petition has been filed by the petitioner for a direction to the third respondent to produce the detenu M.Prabhakaran, S/o Munuswamy, aged about 28 years, before this Court and set him at liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Addl. Public Prosecutor appearing for the respondents.

3. It is the case of the petitioner that her brother, Prabhakaran, went missing from 22.4.15, on the date of his marriage, in connection with which a case in Crime No.234/15 for 'Man Missing' has been registered by the Chengam Police Station. In spite of registration of the complaint, the police authorities are not taking any steps to trace the detenu and, therefore, the present petition is filed.

4. When the matter was taken up, learned Addl. Public Prosecutor submits that as against the detenu, a case in Crime No.3/2015 has been registered by the All Women Police Station, Chengam, and after completion of investigation, report has been filed in C.C. No.140/2015 before the Principal District Munsif-cum-Judicial Magistrate, Chengam, where the detenu appeared before the Magistrate on 25.11.2015 and 26.11.2015.

5. This Court, for the purpose of ascertaining the presence of the detenu before the concerned Court, called for a report from the Principal District Munsif-cum-Judicial Magistrate, Chengam. Accordingly, the Principal District Munsif-cum-Judicial Magistrate, Chengam, has submitted his report in Dis. No.06/2016 dated 4.1.2016 stating that the said detenu, Prabhakaran, in pursuance of the anticipatory bail granted to him by the High Court in CrI. O.P. No.15449/2015 dated 4.9.2015, had deposited a sum of Rs.4 Lakhs as per the directions of the High Court in the above CrI. O.P. No.15449/2015.

6. In the light of the above stated facts, the detenu having appeared before the Principal District Munsif-cum-Judicial Magistrate, Chengam, there is no case of illegal detention warranting issuance of a writ of habeas corpus. Accordingly, this petition stands closed.

sd/-

सत्यमेव जयते
Assistant Registrar (Cs-III)

/TRUE COPY/

Sub-Assistant Registrar

GLN

To

1. The Superintendent of Police
Tiruvannamalai District.
2. The Deputy Superintendent of Police
Chengam Taluk
Tiruvannamalai District.

3. The Inspector of Police
All Women Police Station
Chengam, Tiruvannamalai District.

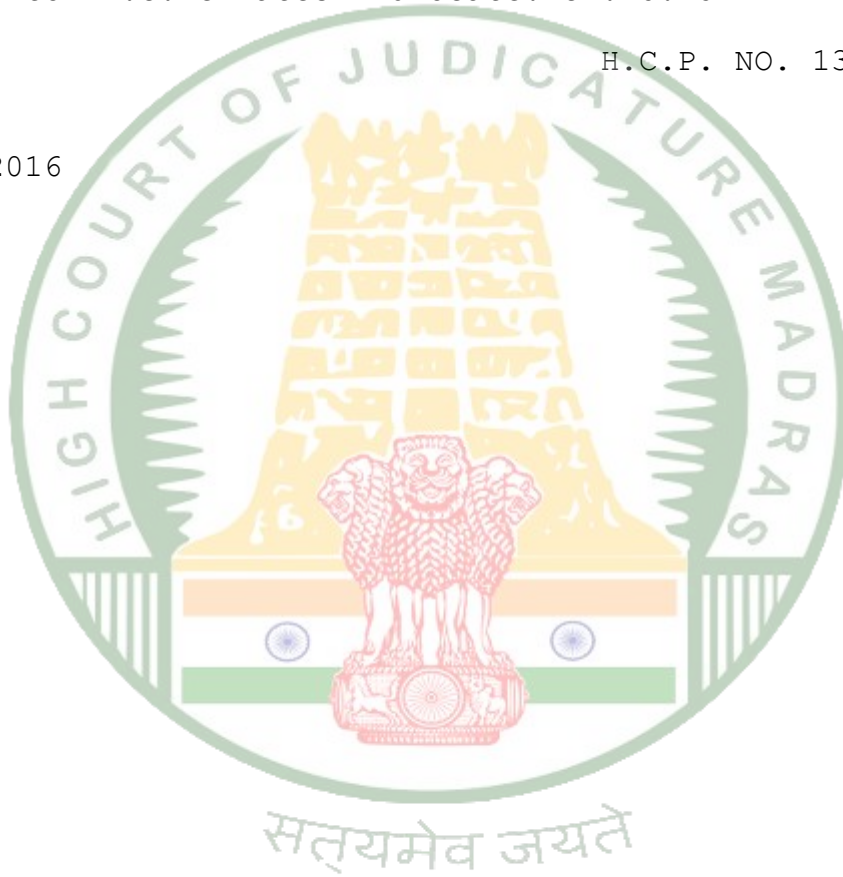
4. The Principal District Munsif cum
Judicial Magistrate, Chengam.

5. The Public Prosecutor
High Court, Madras.

+1 CC to MR.S.Venkatesh Advocate. SR.NO.1574

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CO-VD
JD 27/01/2016



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