

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND
THE HONOURABLE MRS.JUSTICE S.NAGAMUTHU

H.C.P.No.2130 of 2015

E.Suresh

.. Petitioner.

Versus

1. The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
Vepery, Chennai 600 007.
2. The Inspector of Police,
S 11, Tambaram Police Station,
Tambaram, Chennai 600 045.

.. Respondents.

Prayer: Petition filed under Article 226 of the Constitution of India, praying for a Writ of Habeas Corpus, directing the respondents to immediately produce the petitioner's younger brother, namely, E.Saravanan S/o A.Ezhumalai, aged about 28 years, who is missing since 10.07.2015.

For Petitioner : Mr.P.K. Ilavarasan(no appearance)

For Respondents : Mr.V.M.R.Rajendran
Additional Public Prosecutor

सत्यमेव जयते

ORDER

(Order of the Court was made by M.JAICHANDREN,J)

No representation for the petitioner. Heard the learned Additional Public Prosecutor appearing on behalf of respondents.

2. This Habeas Corpus Petition has been filed by the petitioner, who is the brother of the detenu, namely, E.Saravanan, aged about 28 years. He had filed the Habeas Corpus Petition praying that this court may be pleased to direct the the respondents to produce the petitioner's younger brother, namely, E.Saravanan S/o A.Ezhumalai, aged about 28 years.

3. It has been stated that the detenu, who is the younger brother of the petitioner, has been missing since 09.07.2015. The detenu, has studied upto 10th standard in a Deaf and Dumb School. He was working as a Cook in the Tambaram Sanitorium T.B. Hospital. While so, he went missing from 09.07.2015. Therefore, the petitioner, had lodged a complaint with the 2nd respondent, on 11.07.2015, and the complaint had been registered as a "Man Missing" case. However, since no further steps have been taken to trace the detenu, the petitioner had preferred the present Habeas Corpus Petition before this Court.

4. From the status report filed on behalf of the 2nd respondent dated 06.11.2015, it is noted that the 2nd respondent has been taking sufficient steps to trace the detenu. The 2nd respondent, has been searching for the detenu at various places, as stated in the status report. It has also been stated that a Special Team has been formed to trace the detenu. In such circumstances, we do not find any reason to keep the Habeas Corpus Petition pending on the file of this Court.

5. Hence, the Habeas Corpus Petition stands dismissed. However, we direct the 2nd respondent to take sufficient steps to trace the detenu at the earliest and to proceed in accordance with law.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
Vepery, Chennai 600 007.
2. The Inspector of Police,
S 11, Tambaram Police Station,
Tambaram, Chennai 600 045.
3. The Public Prosecutor
High Court, Madras

H.C.P.No.2130 of 2015

RSY(CO)
EU 19.02.16