

In the High Court of Judicature at Madras

Dated: 25.01.2016

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR

and

The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2683 of 2015

Kanagavalli

..... Petitioner / Detenue

Vs.

1. The Director General of Police,
Tamil Nadu Police Head Quarters,
Kamarajar Salai, Chennai - 600 004.
2. The Director General of Police,
Lakdikapul Police Head Quarters,
Hyderabad - 500 004,
Andhra Pradesh.
3. The Director General of Police,
No.2, Police Head Quarters,
Nirupathunga Road,
Bangalore - 560 001
Karnataka
4. The Superintendent of Police,
Cuddalore District, Cuddalore.
5. The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.

..... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing respondents 1 to 5 to produce the body of Suresh, aged about 26 years, S/o Panneerselvam before this Court and set him at liberty.

For Petitioner : Ms.Greetha Senthil kumar

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor

O R D E R

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the mother of the detenu, Suresh, seeking direction to the respondents to produce the detenu, before this Court and set him at liberty.

2. It is the case of the petitioner that the police wanted to apprehend her brother Murugan @ Balamurugan in connection with certain cases registered against him in Telengana, Andhapradesh and Karnataka. It is the further case of the petitioner that on 04.09.2015, the fifth respondent police along with Karnataka and Andhra Pradesh State Police officials came to the residence of the petitioner for enquiring about her brother Murugan @ Balamurugan and even though when the petitioner informed them that she did not know the whereabouts of her brother, they had taken away her son, Suresh. Since there was no response from the fifth respondent, the petitioner has given a complaint on 05.10.2015 to various officials. As the respondent - police did not take any effective steps, she has filed the present Habeas Corpus Petition.

3. The fifth respondent - police have filed a status report denying the averments made in the affidavit stating that he did not accompany the higher officials of other States to visit the residence of the petitioner and the allegation made by the petitioner is false. He further states that they have not taken away the detenu Suresh, son of the petitioner and it is a case of man missing, for which, the petitioner has to file a complaint before the jurisdiction Police Station in Tiruvarur.

4. In view of the above, we find that there is no prima facie material to hold that it is a case of illegal detention by the fifth respondent. Accordingly, this Habeas Corpus Petition stands closed giving liberty to the petitioner to file a complaint before the jurisdiction Police Station in Thiruvarur, if the detenu is still missing.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

sl

To

1. The Director General of Police,
Tamil Nadu Police Head Quarters,
Kamarajar Salai, Chennai - 600 004.
 2. The Director General of Police,
Lakdikapul Police Head Quarters,
Hyderabad - 500 004,
Andhra Pradesh.
 3. The Director General of Police,
No.2, Police Head Quarters,
Nirupathunga Road,
Bangalore - 560 001
Karnataka
 4. The Superintendent of Police,
Cuddalore District, Cuddalore.
 5. The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.
 6. The Public Prosecutor, High Court, Madras.
- +1cc to M/S.Preetha Senthilkumar, Advocate Sr.4762

H.C.P.No.2683 of 2015

RV(CO)
RVR 05/02/2016

सत्यमेव जयते

WEB COPY