

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.2820 of 2015

M.Santhosh Kumar

.. Petitioner

vs.

1. The Superintendent of Police,
Vellore, Vellore District.

2. The Inspector of Police,
Virthampat Police Station,
Vellore District.

.. Respondents

Petition filed for issuance of a writ of Habeas Corpus directing the respondents to produce the person or body of the detainees, namely, Thilagavathi, W/o.Santhosh Kumar, aged about 31 years and Srinivasan, S/o.Santhosh Kumar, aged about 3 years before this Court and set them at liberty.

For petitioner : Mr.M.Sathishkumar

For Respondents : Mr.V.M.R.Rajentren,
Addl. Public Prosecutor (Crl.side)

O R D E R

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

This Habeas Corpus Petition has been filed to direct the respondents to produce the detainees, namely, Thilagavathy, wife of the petitioner, aged about 31 years and Srinivasan, son of the petitioner M.Santhosh Kumar, aged about 3 years, before this Court and to set them at liberty.

2. The petitioner has stated that his wife Thilagavathy and his son Srinivasan had left home on 25.09.2015. However, as they had not turned back, the petitioner has preferred a complaint before the 2nd respondent police, on 18.10.2015. The 2nd respondent has registered a case, in Crime No.502 of 2015, as

a ''Woman and Child Missing'' case. However, as no effective steps had been taken, the petitioner is before this Court with this present Habeas Corpus Petition.

3. Today, when the matter was listed for hearing, the learned Additional Public Prosecutor, appearing on behalf of the respondents, had submitted that the detenues, namely, Thilagavathy and her son Srinivasan were residing in a relative's place, at Kancheepuram. However, when the 2nd respondent police had attempted to make further enquiries, they had left Kancheepuram. However, the 2nd respondent is taking necessary steps to trace the detenues.

4. In view of the said submissions made by the learned Additional Public Prosecutor, we are of the view that no further orders are necessary in the present Habeas Corpus Petition, at this stage.

5. In such circumstances, the Habeas Corpus Petition is dismissed. However, it is made clear that the 2nd respondent shall continue the investigation and trace the missing detenues', as expeditiously as possible and keep the petitioner informed about the same.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Vellore, Vellore District.
2. The Inspector of Police,
Virthampat Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras-104.

H.C.P.No.2820 of 2015

sv(CO)
srg(21/03/2016)