

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2016

Coram:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE P.DEVADASS

H.C.P.No.3006 of 2015

V.Shanmugam

.. Petitioner

vs.

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

2.The Inspector of Police,
Mallasamudram Police Station,
Namakkal District.

3.Santhi

.. Respondents

H.C.P. has been filed for a writ of Habeas Corpus directing the respondents to produce the body of the petitioner's son by name Nandakumar, aged about 37 years, son of Sanmugam before this Court and hand over the custody of the petitioner's son to the petitioner.

For petitioner

: Ms.M.Srividhya

For Respondents

: Mr.V.M.R.Rajentran,

1 and 2

Addl. Public Prosecutor (Crl.side)

O R D E R

The petitioner is the father of one Nandakumar. The 3rd respondent is the wife of Nandakumar. It is now alleged that the whereabouts of Nandakumar was not known and the petitioner suspects that the 3rd respondent is detaining him. Hence, he has come before this Court with this Habeas Corpus Petition.

2. It is brought to the notice of this Court by the learned Additional Public Prosecutor that on the complaint made by the petitioner, a case has been registered by the 2nd respondent in Crime No.27 of 2016 for 'Man Missing' and the same is under investigation.

3. Since there are no materials as of now to show that Nanda Kumar has been illegally detained, no direction as prayed for by the petitioner could be given.

4. In view of the above, the Habeas Corpus Petition is dismissed, however, it is made clear that the 2nd respondent shall proceed with the investigation further.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To:

- 1.The Superintendent of Police,
Namakkal District,
Namakkal.
- 2.The Inspector of Police,
Mallasamudram Police Station,
Namakkal District.
3. The Public Prosecutor
High Court, Madras

1 cc to Mr.M. Srividhya, Advocate Sr. 12346

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SKV (CO)
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