

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 20.01.2016

CORAM

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

H.C.P. NO.3254 OF 2015

Mrs. Soundari

.. Petitioner

- Vs -

1. The Inspector of Police  
T-5, Thiruverkadu Police Station  
Thiruverkkadu  
Chennai 600 077.

2. The Inspector of Police  
B-4, Sevvaipettai Police Station  
Sevvaipettai  
Thiruvallur District.

3. Mrs. Usha Rani

4. Mr. Ravi

5. Mrs. Manju

6. Mrs.Viji

7. Mrs. Lakshmi

.. Respondents

Petition filed under Article 226 of the constitution of India for the issuance of a Writ of Habeas Corpus directing the respondent police to produce the detenu, K.Sivakumar, aged about 40 years, S/o Kannan, before this Court and set him at liberty to join with his wife, the petitioner.

For Petitioner : Mr. M.Chidambaram

For Respondents: Mr. A.N.Thambidurai, APP for RR-1 & 2  
Mr. S.Ambikapathi for RR-3 to 6

ORDER

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

This petition has been filed by the petitioner for a direction to the respondent police to secure the detenu, K.Sivakumar, aged about 40 years, S/o Kannan, produce him before this Court and set him at liberty to join with his wife, the petitioner.

2. When the matter was taken up for hearing, Mr.s.Ambikapathi, learned counsel entered appearance for respondents 3 to 6.

3. Heard the learned counsel appearing for the petitioner, learned Addl. Public Prosecutor appearing for respondents 1 and 2 and Mr.S.Ambikapathi, learned counsel appearing for respondents 3 to 6.

4. It is submitted by the learned counsel appearing for respondents 3 to 6 that the detenu is not in the custody of respondents 3 to 6 and that they are also looking out for the detenu. Learned counsel further submitted that the petitioner is not the wife of the detenu and that the detenu is the son of the third respondent.

5. Be that as it may. It is evident from the averment made in the petition as also the submission of the learned counsel for the respondents 3 to 6 that the detenu is missing. However, no FIR has been registered by the respondent police for man missing, inspite of the fact that it is represented by the petitioner and respondents 3 to 6 that they have lodged complaints. In the above circumstances, this Court directs the first respondent, Inspector of Police, Thiruverkkadu Police Station to register a case of man missing, on the complaint filed by the petitioner in CSR No.503/2015, thoroughly investigate the same with particular reference to the involvement of both the petitioner and respondents 3 to 6 in connection with the missing of the detenu and, thereafter, proceed in accordance with law.

6. With the above direction, this habeas corpus petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police  
T-5, Thiruverkadu Police Station  
Thiruverkkadu  
Chennai 600 077.

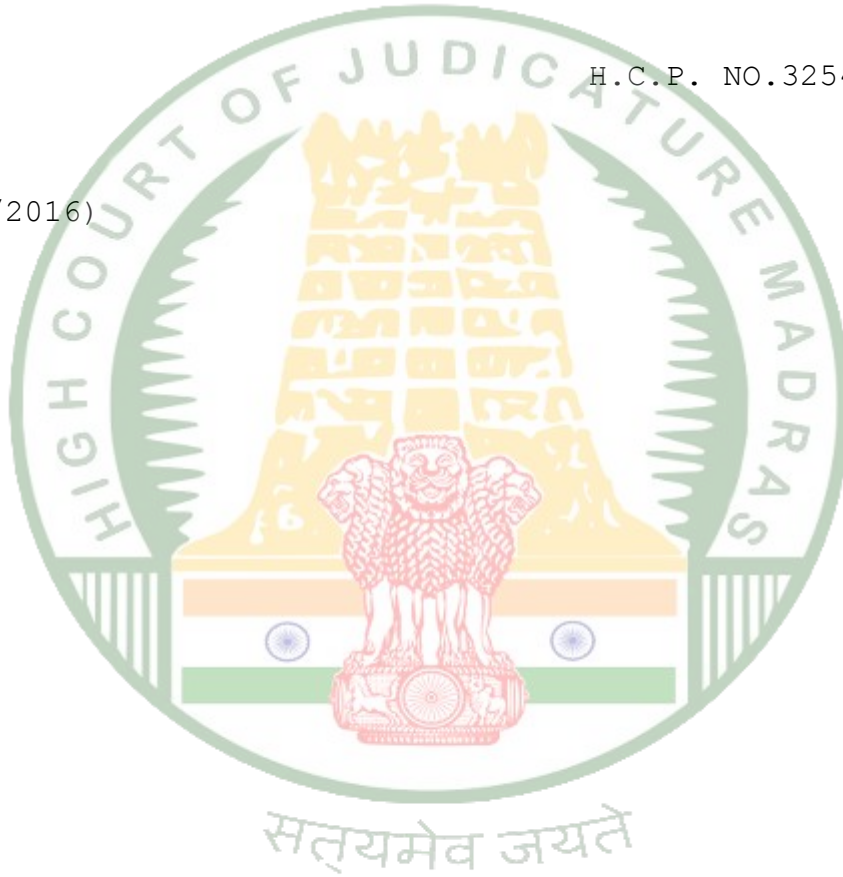
2. The Inspector of Police  
B-4, Sevvaipettai Police Station  
Sevvaipettai  
Thiruvallur District.

3. The Public Prosecutor  
High Court  
Madras.

+1cc to Mr.S.Ambigapathi, Advocate, S.R.No.3252

H.C.P. NO.3254 OF 2015

mg (CO)  
srg (03/02/2016)



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