

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

Coram:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.3453 of 2014

S.Vasantha

... Petitioner

Vs.

- 1.The Commissioner of Police,
Tiruppur.
- 2.Inspector of Police
Annuparpalayam Police Station
Tiruppur.

... Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's husband, namely, K.Sundaram, aged about 38 years, S/o.Krishnan, before this Court, and to set him at liberty.

For petitioner : Mr.M.Purushothaman

For respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by M.JAICHANDREN,J]

This Habeas Corpus Petition has been filed praying that this Court may be pleased to direct the respondents to produce the husband of the petitioner, namely, K.Sundaram, aged about 38 years, S/o.Krishnan, before this Court, and to set him at liberty.

2. The petitioner has stated that the detenu is her husband and he has been found missing, from 17.11.2014. Therefore, the petitioner had lodged a complaint before the 2nd respondent police, on 23.11.2014, and the said complaint had been registered, in Crime No. 1309 of 2014, as "man missing" case, on the same day. While so, this Court, by an order, dated 14.12.2015, had directed the Assistant Commissioner of Police,

Tiruppur City North, within whose jurisdiction, the 2nd respondent police falls, to conduct a de novo enquiry and file a report before this Court. Pursuant to the said order, the Assistant Commissioner of Police, Tiruppur City North, has filed a status report, in the month of January, 2016. The brief history of the case and the steps taken by the respondents police, to trace the detenu, had been given in detail in the said report.

3. In such circumstances, even though, the learned counsel appearing on behalf of the petitioner has submitted that the 2nd respondent police had not taken any effective steps to trace the detenu, we are of the considered view that no further orders could be passed in the present Habeas Corpus Petition.

4. In view of the statements made in the status report filed by the Assistant Commissioner of Police, Tiruppur City North, as the 2nd respondent police had registered the complaint made by the petitioner, in Crime No. 1309 of 2014, as "man missing" case, and as the 2nd respondent police, is investigating the matter, we do not find any further orders are necessary in the present Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands closed. However, we make it clear that the 2nd respondent police shall continue the investigation to trace the missing detenu and to take necessary steps, in accordance with law.

Sd/-
Assistant Registrar(CCC)

//True Copy//

paa

Sub Assistant Registrar

To

1. The Commissioner of Police
Tiruppur.
2. The Inspector of Police
Annuparpalayam Police Station
Tiruppur.
3. The Additional Public Prosecutor
High Court, Madras.

+3cc's to Mr.M.Purushothaman, Advocate, S.R.No.16484

H.C.P. No. 3453 of 2014

SNS (CO)

CA(05/04/2016)