

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

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

H.C.P.No.1122 of 2016

and

Crl.M.P.No.10668 of 2016

R.S.Thangam

....Petitioner

Vs.

1.The Commissioner of Police
Greater Chennai Commissioner's Office
Purasaiwakkam, Chennai.

2.The Inspector of Police
R-5, Virugambakkam Police Station
Chennai.

3.Additional Deputy Commissioner of Police
Central Crime Branch
Commissioner Office, Chennai.

(Third respondent has been impleaded
as per the order of this Court, dated
21.9.2016 in Crl.M.P.NO.9995/2016 in
H.C.P.No.1122 of 2016)

..Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the body of the victim Madhan, Son of C. Balakrishnan, aged about 44 years, before this Court.

For Petitioner : M/s.L. Infant Dinesh

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

ORDER

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

This Habeas Corpus Petition has been filed by the mother of the detenu, praying that this Court may be pleased to direct the respondents herein to produce the detenu, namely, Madhan, Son of Balakrishnan, aged about 44 years, before this Court and to set him at liberty.

2. It had been stated that the detenu had gone missing, on 27.5.2016. Therefore, the petitioner had preferred a complaint before the Commissioner of Police, on 31.5.2016. Since no effective steps had been taken to trace the detenu, the petitioner has preferred the present Habeas Corpus Petition.

3. At this stage of the hearing of the Habeas Corpus Petition, the third respondent had filed a status report, giving the details of the steps taken by the respondents to trace the detenu.

4. Paragraph No.20 of the said status report reads as follows:-

"20. It is respectfully submitted that accused Madhan was arrested on 20.11.2016 at 2300 hours near Poondi Bridge in Avinasi to Trippur road and brought to Chennai on 21.11.2016. Arrest of the accused was intimated to Tmt. Thangam, mother of the accused/petitioner herein. Accused was produced before the Hon'ble Xth Metropolitan Magistrate Court, Saidapet and remanded to Judicial Custody on 21.11.2016. On 22.11.2016, petition praying for 10 days police custody was filed before the Hon'ble XI Metropolitan Magistrate Court, Saidapet and the Hon'ble Court granted 6 days police custody on 23.11.2016 imposing conditions and ordered to produce the accused before the Hon'ble Court on 29.11.2016 at 1730 hrs. Accused Madhan has been interrogated on various aspects with regard to the cheating of money collected from parents and students under the guise of getting admission to medical colleges and the nexus between accused Madhan and other accused have been unearthed during the interrogation."

5. As it is clear from the status report filed by the third respondent, the detenu had been arrested, on 20.11.2016, and remanded to judicial custody, on 21.11.2016.

6. In such circumstances, no further orders are necessary in this Habeas Corpus Petition. Hence, the Habeas Corpus Petition is dismissed as infructuous. Connected Crl.M.P. is also dismissed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rnb

To

1.The Commissioner of Police
Greater Chennai Commissioner's Office
Purasaiwakkam, Chennai.

2.The Inspector of Police
R-5, Virugambakkam Police Station
Chennai.

3.Additional Deputy Commissioner of Police
Central Crime Branch
Commissioner Office, Chennai.

4.The Public Prosecutor
High Court, Madras.

+1cc to The Additional Public Prosecutor sr.71009

+1cc to M/s.B.Saraswathi, Advocate sr.69861(23/01/2017)

cp(co)
ss(19/01/2017)

H.C.P.No.1122 of 2016
and

Crl.M.P.No.10668 of 2016

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