

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.7.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1218 of 2016

Johnpeter

..Petitioner/father the
detenu

Vs

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

2. The Deputy Superintendent of Police,
Ponneri,
Tiruvallur District.

3. The Inspector of Police,
Sholavaram Police Station,
Sholavaram,
Tiruvallur District.

4.Sarala

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents herein to produce the body of the petitioner's son Sathish, aged 19 years (DOB: 18.07.1997), before this Court and set him at liberty or handover the custody to the petitioner.

For Petitioner : Mr. P.Mani

For R1 to R3 : Mr.V.M.R. Rajentren
Additional Public Prosecutor

ORDER

(Order of the Court was made by V.BHARATHIDASAN, J.)

The petitioner is the father of one Sathish aged about 19 years. According to the petitioner, he was found missing from 06.06.2015. Alleging that the fourth respondent has abducted his son and kept him in illegal custody, he made a complaint to the 3rd respondent. Since no action has been taken to rescue the detenu, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State. We have also perused the records carefully.

3. Today, when the matter was taken up, the learned Additional Public Prosecutor submitted that on 12.6.2015, the boy was secured by the respondent police and he was handed over to the custody of the petitioner. Once again, the boy left the house on his own and went to the house of the 4th respondent and he is now, living in the house of the 4th respondent.

4. In the light of the said submission made by the learned Additional Public Prosecutor, we find there is no illegal detention, hence, we are not in a position to grant the relief as prayed for.

5. Therefore, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

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

2. The Deputy Superintendent of Police,
Ponneri,
Tiruvallur District.

3. The Inspector of Police,
Sholavaram Police Station,
Sholavaram,
Tiruvallur District.

4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1218 of 2016

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eu 10.08.16