

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.6.2016

CORAM

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

H.C.P.No.1258 of 2016

MRS.D.REKHA Petitioner/daughter of the detenue

Vs

- 1 THE GOVERNMENT OF TAMIL NADU
REP BY ITS SECRETARY HOME DEPARTMENT
CHENNAI-600 009.
- 2 THE COMMISSIONER OF POLICE
VEPERY CHENNAI-600 007.
- 3 THE INSPECTOR OF POLICE
S11, TAMBARAM POLICE STATION TAMBARAM
CHENNAI .

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the Respondents 1 to 3 herein to search and produce the petitioner's father Mr.S.Mohan S/o.Shanmugam Hindu aged about 59 years to the petitioner.

For Petitioner :Mr.V.Kamal

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

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner is the daughter of one Mr.Mohan, son of Shanmugam aged 59 years. According to the petitioner, he has been found missing from 08.06.2016 onwards. She made a complaint to the police upon which a case has been registered on 13.6.2016 for 'man missing' in Cr.No.1782 of 2016 on the file of the third respondent. Since he has not been so far traced out, 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 respondents and also perused the records carefully.

3. It is seen from the records that Mr.Mohan has been found missing only from 08.06.2016. The case has been promptly registered and the same is under investigation. It is quite natural that it will take sometime for the police to trace out the detenu. Further, there is no allegation of illegal detention also. The petitioner has rushed to this Court in a hurried manner. Even without giving breathing time for the police to investigate.

4. For these reasons, we are not inclined to grant any relief as prayed for by the petitioner as no relief could be granted to the petitioner at this stage.

5. Therefore, this petition is dismissed, however, with a direction to the respondent police to expedite the investigation.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1 THE SECRETARY,
GOVERNMENT OF TAMIL NADU
HOME DEPARTMENT
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- 2 THE COMMISSIONER OF POLICE
VEPERY CHENNAI-600 007.
- 3 THE INSPECTOR OF POLICE
S11, TAMBARAM POLICE STATION TAMBARAM
CHENNAI
4. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

H.C.P.No.1258 of 2016

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srg 20/07/2016