

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.7.2016

CORAM

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

H.C.P.No.1339 of 2016

Usharani

..... Petitioner

Vs

1. State Rep. by
The Superintendent of Police,
Tiruvallur District,
Tiruvallur.

2. The Inspector of Police,
Thanippadi Police Station,
B-4, Shevvapet Police Station,
Shevvapet,
Tiruvallur District.

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

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce my elder son namely, K.Sivakumar aged about 40 years, or his body before this Court and set him at liberty.

For Petitioner	:	M/s.S.Ambigapathi C.Manivasagam
For Respondents	:	Mr.V.M.R.Rajentren Additional Public Prosecutor

ORDER

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

The petitioner is mother of one Sivakumar aged 40 years. According to the petitioner, Mr.Sivakumar has been found missing from 13.07.2015 onwards. In respect of missing of one Mr.Sivakumar earlier, one Soundari filed a Habeas Corpus Petition before this Court in H.C.P.No.3254 of 2015. The same was disposed of by this Court by order dated 20.01.2016 wherein this Court issued a direction to the first respondent therein, Inspector of Police, Thiruverkadu Police Station to register a case for man missing and to investigate the case. Even after that, according to the petitioner, Mr.Sivakumar has not been traced out by the police. With this grievance, he has come up with this petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondents.

3. The Additional Public Prosecutor would submit that Mrs. Soundari is a widow. The investigation has revealed that Sivakumar was living with her mother. Both of them were doing chit business. They collected huge money from various persons running around Rs.33 lakhs. When the subscribers

demanded return of the said money, Sivakumar has escaped and his whereabouts are not known. Mrs. Soundari has settled some amount towards the subscribers. Thus, fearing for the subscribers Mr.Sivakumar is hiding elsewhere. On the complaint of the subscribers, a criminal case has been registered against him in which he is wanted for arrest.

4. In view of the above factual circumstances, we find that there is no illegal detention and therefore, no relief as prayed for could be given.

5. Accordingly, the Habeas Corpus Petition is dismissed.

kua

(S.N.J.,) **(V.B.D.J.,)**
13.7.2016

To
The Superintendent of Police,
Tiruvallur District,
Tiruvallur.

2. The Inspector of Police,
Thanippadi Police Station,
B-4, Shevvapet Police Station,
Shevvapet,
Tiruvallur District.

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

4.The Public Prosecutor, High Court, Madras.

**S.NAGAMUTHU J.,
AND
V.BHARATHIDASAN, J.**
kua

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