

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.2.2016

Coram:

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

H.C.P.No.158 of 2016

Pouja

... Petitioner

Vs.

1. The Superintendent of Police
Tiruppur
Tiruppur District
2. The Inspector of Police
Avinashi Police Station
Avinashi
Tiruppur District
3. Sivaraj
4. Boopathy
5. Aravinth

... Respondents

H.C.P. has been filed to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the detenu namely Mohamed Ali s/o.Saminathan, aged about 48 years before this Court from the illegal custody of the respondents 3 to 5 and set him at liberty by considering the representation of the petitioner dated 28.1.2016.

For petitioner : Mr.R.Prabakar

For Respondents : Mr.V.M.R.Rajendren
Additional Public Prosecutor
for R1 To R2

O R D E R

(The 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 first and the second respondents to produce the body of the detenu, namely, Mohamed Ali, son of Saminathan, aged about 48 years, before this Court and set him at liberty.

2. The petitioner is the wife of the detenu. It has been stated that the detenu had been working in the Aathavan Cotton Mill, at Avinashi, Tiruppur District. The respondents 3 to 5 are the owners of the said mill. It has been alleged that the detenu had taken a sum of Rs.5,00,000/- from the Aathavan Cotton Mill and has been absconding. However, the petitioner has stated that the respondents 3 to 5 are keeping him in their illegal custody. The petitioner had lodged a complaint before the Avinashi Police Station, Tiruppur District. However, as no action had been taken by the second respondent Police to trace the detenu, the petitioner has preferred the present Habeas Corpus Petition before this Court.

3. The learned Additional Public Prosecutor appearing on behalf of the first and the second respondents had submitted, on instructions, that the detenu is said to have misappropriated a sum of Rs.5,00,000/- from the Aathavan Cotton Mill and he is on the run. He had further submitted that necessary steps are being taken to trace the detenu.

4. In view of the submissions made by the learned Additional Public Prosecutor, appearing on behalf of the first and the second respondents, we are of the view that no further orders are necessary in the present Habeas Corpus Petition, at this stage. However, the first respondent Police shall continue with the investigation to trace the detenu and to take necessary steps, in accordance with law. Hence, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Superintendent of Police
Tiruppur
Tiruppur District

2. The Inspector of Police
Avinashi Police Station
Avinashi
Tiruppur District

3. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Prabakar, Advocate, S.R.No.10508

H.C.P.No.158 of 2016

SR(CO)
CA(23/03/2016)



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