

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2016

CORAM

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

H.C.P.No.1624 of 2016

Enjalin Lalitha ... Petitioner

vs.

1.The State of Tamil Nadu,
rep.by the Inspector of Police,
Kannankurichi Police Station,
Salem District.

2.The Superintendent of Police,
Salem District. ... Respondents

R2 impleaded as per order of this
Hon'ble Court, dated 26.09.2016,
in CrI.M.P.No.10089 of 2016
in H.C.P.No.1624 of 2016

Prayer:- Habeas Corpus Petition filed under Article 226 of the
Constitution of India praying for the issuance of Writ of Habeas
Corpus directing the respondent Inspector of Police to produce
the corpus of petitioner's husband Immanuvel Edison, aged about
58 years, residing at No.31, Annai Illam Anbu Nagar, Gorimedu,
Salem, before this Court, to set him at liberty forthwith.

For Petitioner : Mrs.R.Deepa

For Respondents : Mr.V.M.R.Rajentren,
Addl.
for R1 & R2

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O R D E R

(Order of the Court was made by M.JAICHANDREN, J.)

Heard the learned counsel appearing on behalf of the
petitioner as well as the learned Additional Public Prosecutor,
appearing on behalf of the respondents.

2. This habeas corpus petition has been filed praying, that this Court may be pleased to direct the respondents, to produce the husband of the petitioner, namely, Immanuel Edison, aged about 58 years, before this Court and to set him at liberty.

3. The petitioner had stated that, at about 1.30 p.m., on 31.5.2016, one Haridoss, had taken the detenu, on the promise that he would get him a job. However, the detenu had not returned home, thereafter. It has been further stated that the detenu was working as a Service Engineer, in CSI Polytechnic College, Salem. He had some misunderstanding with the management of the said College. While so, Haridoss, an old student of the detenu, had taken him to Andhra Pradesh, stating that he would find a suitable job for the detenu. In such circumstances, the petitioner had lodged a complaint before the respondent police, on 24.06.2016. The said complaint had been registered, in Crime No.274 of 2016. Since no effective steps have been taken by the respondent police, to trace the detenu, the petitioner has preferred the present habeas corpus petition.

4. Today, when the matter had been listed for hearing, the learned Additional Public Prosecutor, appearing on behalf of the respondents, had stated that a dead body had been found by the Suramangalam Police, on 28.06.2016. The petitioner and her son had identified the body to be that of the missing person, namely, Immanuel Edison.

5. On enquiry, the petitioner and her son had admitted the fact that they had identified the dead body to be that of Immanuel Edison. However, they had stated that they have some suspicion with regard to the cause of death of the detenu.

6. In view of the fact that the detenu, namely, Immanuel Edison, is presumed to be dead, this Court is of the view that no further orders are necessary in this habeas corpus petition. Accordingly, the habeas corpus petition stands closed. However, the respondent police is directed to continue the investigation to find out the cause of the death of Immanuel Edison, and to take appropriate steps, in accordance with law.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

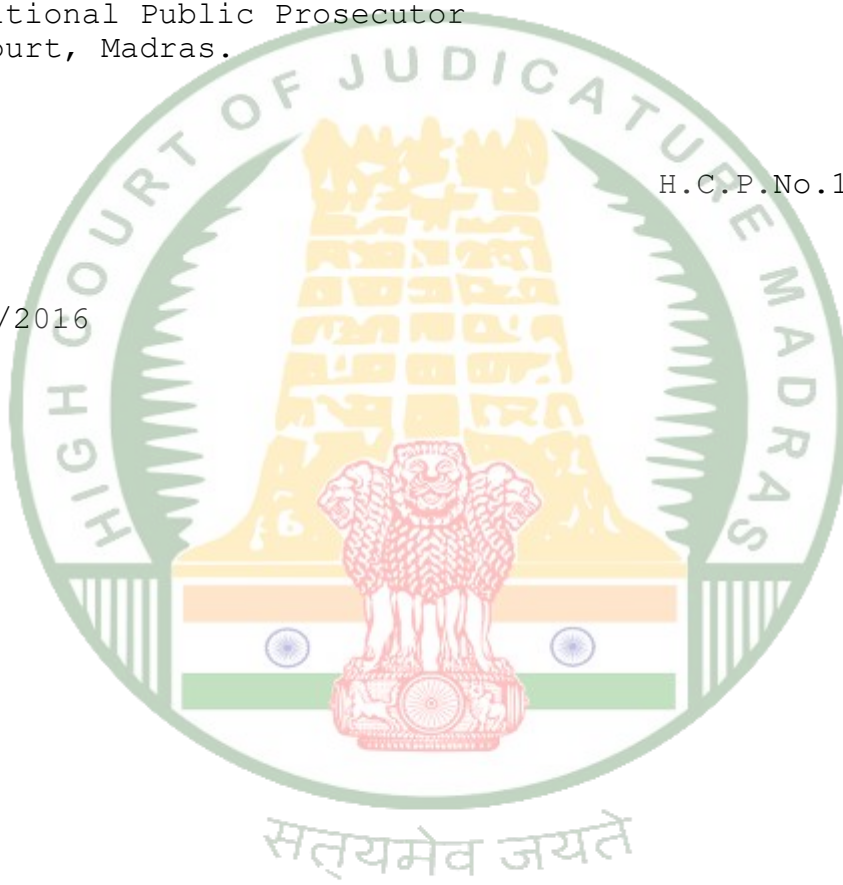
1.The Inspector of Police,
Kannankurichi Police Station,
Salem District.

2.The Superintendent of Police,
Salem District.

3.The Additional Public Prosecutor
High Court, Madras.

H.C.P.No.1624/2016

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