

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM:

The HON'BLE MR. JUSTICE M.JAICHANDREN
and
The HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.1995 of 2016

V.Ragunathan ... Petitioner

Vs.

- 1.The Superintendent of Police,
District Police Office,
Nagapattinam District,
Nagapattinam.
- 2.The Inspector of Police,
Kariyapattinam Police Station,
Kariyapattinam,
Vedaranyam Taluk,
Nagapattinam District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the body or person of petitioner's son Udayakumar, who is aged about 26 years, before this Court and hand over the custody.

For petitioner : Mr.R.Murugabharathi

For respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

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ORDER
(Order of the Court was made by S.BASKARAN, 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 by the petitioner, who is the father of the detenu, namely, Udayakumar, aged about 26 years, praying that this court may be pleased to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's son, namely, Udayakumar, before this Court and hand over his custody to the petitioner.

3 The petitioner has stated that the detenu, namely, Udayakumar, is his son and he is doing Carpentering work, under one contractor, namely, Veerasamy. Since the petitioner's son was found missing from 4.9.2016, the petitioner had lodged a complaint before the second respondent police, on the same day. As the second respondent refused to receive the complaint, the petitioner had sent the complaint through registered post, on 6.9.2016. However, as no action had been taken by the respondent police to secure the son of the petitioner, the petitioner has preferred the present Habeas Corpus Petition, before this Court.

4 Today, when the matter had been listed for hearing, the detenu, namely, Udayakumar, had been produced before this Court. The petitioner is also present in Court. On enquiry, the detenu had stated that he went away from home to Coimbatore and he is now working there. He had further stated that he is not willing to go back to his village, for the present, and to live with his parents. But, the petitioner wanted his son to come back and live with him, in the village. However, the detenu, who is aged about 26 years, had stated that he is getting good salary and working in a private company, in Coimbatore. Further, the detenu is not interested in leaving his job. The detenu had also met his father, namely, the petitioner herein.

5 In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and in view of the submission made by the detenu, it is noted that the detenu, being aged about 26 years, is a major and he is not willing to go with the petitioner. In such circumstances, this Court is of the considered view that no further orders are necessary in the present Habeas Corpus Petition. Hence, this Habeas Corpus Petition stands closed.

-Sd/-

Assistant Registrar

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Sub Assistant Registrar

To

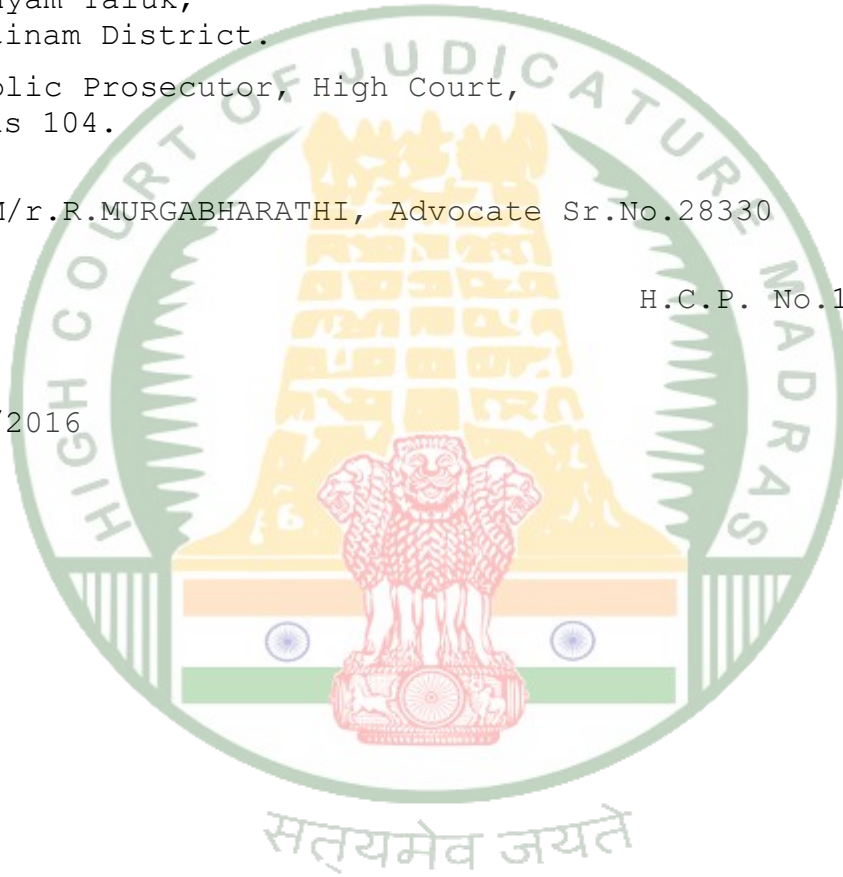
- 1.The Superintendent of Police,
District Police Office,
Nagapattinam District,
Nagapattinam.
- 2.The Inspector of Police,
Kariyapattinam Police Station,
Kariyapattinam,
Vedaranyam Taluk,
Nagapattinam District.
3. The Public Prosecutor, High Court,
Madras 104.

+1 cc to M/r.R.MURGABHARATHI, Advocate Sr.No.28330

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CP(CO)

RRI 12/11/2016



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