

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

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

H.C.P.NO.2207 OF 2016

K.Ramakrishnan

.. Petitioner

Vs.

1.The State rep. by its
The Inspector of Police
Kattoor Police Station
Coimbatore City.

2.J.Raju

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, to direct the 1st respondent to secure the petitioner's son Mr.Gokul aged about 19 years from the illegal custody of the 2nd respondent and produce him before this Court in connection with complaint given by the petitioner dated 26.09.2016 on the file of the 1st respondent in CSR No.320/2016.

For Petitioner : No appearance
For Respondent-1 : Mr.V.M.R.Rajentren
Additional Public Prosecutor

O R D E R

[ORDER OF THE COURT WAS MADE BY S.BASKARAN, J.]

This Habeas Corpus Petition has been filed by the petitioner seeking for a direction to the respondents to produce his son, the detenu, namely Gokul, aged 19 years, before this Court, in connection with the complaint given by him on 26.09.2016, to the first respondent Police.

2. This matter is listed today as a special case. The detenu is produced before this Court by the first respondent police in the morning. The learned Additional Public Prosecutor appearing on behalf of the State informed this Court that information was given to the petitioner's counsel. Since there is no representation on behalf of the petitioner, the matter was

passed over in the morning session and taken up in the afternoon. However, there is no representation on behalf of the petitioner in spite of the petitioner's counsel being informed again by the learned Additional Public Prosecutor.

3. The petitioner states that his son Gokul, aged 19 years, studying II Year B.Com., in Kongunadu Arts and Science College at Coimbatore was found missing from 26.09.2016. Hence, he lodged a complaint on 26.09.2016 before the first respondent Police and CSR was given to him. Since the respondent Police failed to take action, he has come forward with this petition.

4. Today, the detenu is produced before this Court by the first respondent Police. Admittedly, the detenu is a major, aged 19 years. His date of birth is 08.11.1997.

5. On enquiry, the detenu has stated that he is working as a part time employee in a private establishment and simultaneously pursuing his B.Com., course at Coimbatore. He also expressed his unwillingness to go along with his father, the petitioner herein, for the present.

6. In such circumstances, considering the fact that the detenu is a major as well as working as a part time employee, the detenu is permitted to go as per his wish, on his own. We are therefore of the view that no further order is necessary in this petition.

7. The Habeas Corpus petition is closed with the above observation.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

TK
To

1.The Inspector of Police
Kattoor Police Station
Coimbatore City.

2.The Public Prosecutor
High Court of Madras.

VD(CO)
BB(29/12/2016)

H.C.P.NO.2207 OF 2016