

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

THE HON'BLE MR JUSTICE M.JAICHANDREN
AND
THE HON'BLE MR JUSTICE S.BASKARN

Habeas Corpus Petition No.2288 of 2016

R.Vidyalakshmi

..Petitioner

Vs.

1.The Inspector of Police
Anna Square Police Station
Triplicane
Chennai-600 005

2.The Commissioner of Police
Greater Chennai, Vepery,
Chennai

...Respondents

Prayer: Writ of Habeas Corpus Petition filed under Article 226 of the Constitution of India, directing the respondents to secure the petitioner's minor son namely R.Sudarshan aged 17 years and produce him before this Court and set him at liberty.

For petitioner : Ms.N.Subha

For respondents : Mr.V.M.R.Rajentren,
Addl. Public Prosecutor for R1 and R2.

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, the learned Additional Public Prosecutor, who is appearing on behalf of the respondents 1 and 2.

2. This Habeas Corpus Petition has been filed, praying that this court may be pleased to direct the respondents to produce the detenu viz., R.Sudarshan, aged 17 years, the minor son of the petitioner

herein, before this court and to pass further orders, as may found to be fit and necessary.

3. The petitioner has stated that on 10.07.2016, at 10.00 a.m., the petitioner, along with her family, had gone to Kaligambal Temple and had also planned to go to Kandhakottam Murugan Temple. Whiles, they had decided to spend some time at the Marina Beach. At about 11.55 a.m., when other family members were busy in horse riding etc., the detenu, namely, Sudarshan, who was standing near the seashore was missing. Therefore, the petitioner had lodged the complaint with the 1st respondent and a First Information Report (FIR) had been registered. As no effective steps had been taken by the respondents, to trace the detenu, the petitioner is before this court, with the present Habeas Corpus Petition.

4. A detailed status report, dated 29.11.2016, has been filed by one S.Sivasubbu, Inspector of Police, D-6 Anna Square Police Station, Chennai. In paragraph No.12 of the status report, it is stated as follows:-

"12. I submit that all the efforts taken by the Investigation officers to trace the missing boy/detenu R.Sudarshan, ended in vain and myself and our team still taking sincere steps to trace the detenu R.Sudarshan. I further submit that as soon as I trace the detenu R.Sudarshan, he will be produced before this Court in accordance with law. "

5. In view of the status report filed by the Inspector of Police, D-6, Anna Square Police Station and in view of the submissions made by the learned Additional Public Prosecutor, appearing on behalf of the respondents, we are of the considered view that no further orders are necessary in the present H.C.P. Hence, the Habeas Corpus Petition stands closed. However, the 2nd respondent-Police shall continue the investigation, if found necessary, to trace the detenu, based on the FIR registered in Crime No.444 of 2016, with regard to the " Man missing case" and to take necessary steps, in accordance with law.

6. The learned Additional Public Prosecutor, appearing on behalf of the respondents has submitted that, as and when fresh information is obtained with regard to the detenu, the same would be communicated to the petitioner.

7. In spite of the preventive steps being taken by the respondent police to prevent accidents from happening on the beaches of Chennai city, by drowning, we are of the view that the authorities concerned may take further steps, as they may think fit and proper, to prevent

such accidents taking place in future.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

nvsri

To

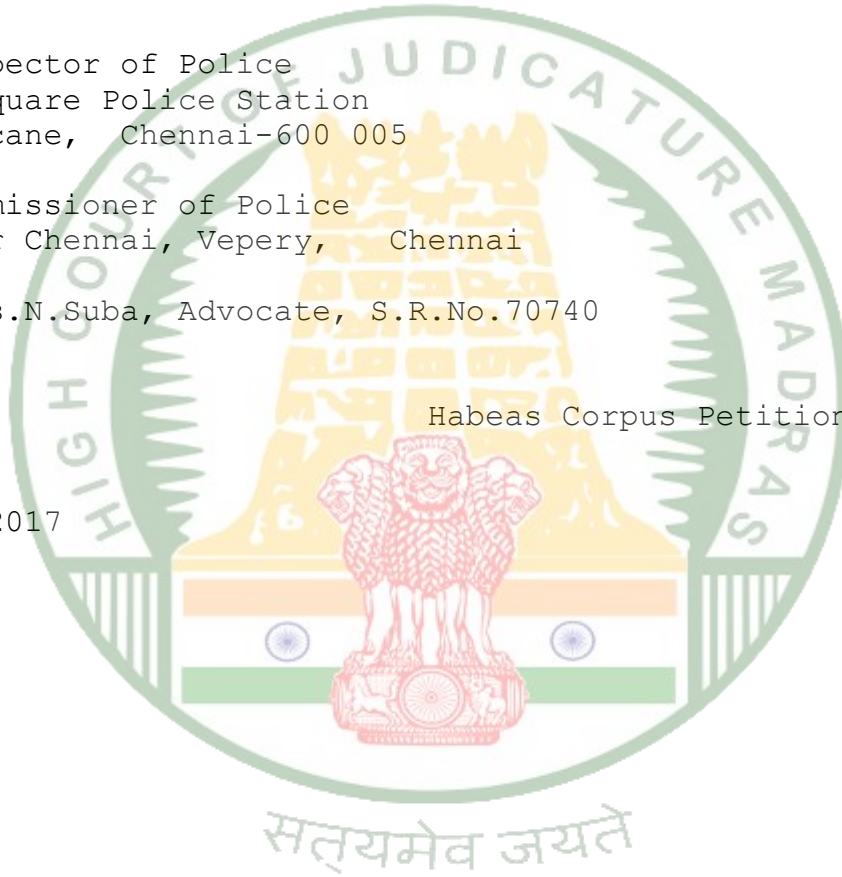
1.The Inspector of Police
Anna Square Police Station
Triplicane, Chennai-600 005

2.The Commissioner of Police
Greater Chennai, Vepery, Chennai

+1cc to Ms.N.Suba, Advocate, S.R.No.70740

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