

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

Coram:

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

H.C.P.No.312 of 2016

K.Sureka

.. Petitioner

vs.

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Salem City,
Sankagiri Main Road,
Annadhanapatti,
Salem-636 002.

2. The Inspector of Police,
B.6, Kondalampatti Police Station,
Salem City, Salem-636 010.

3. K.Velusamy

4. K.Subramani

5. S.Thanam

.. Respondents

Petition filed for issuance of a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the detenu, namely, A.Kandeepan, son of Aran, aged about 47 years, residing at No.4/109, Gandhi Nagar, Koottathupatti Post, Vazapadi Taluk, Salem-636 139 before this Court and set him at liberty.

For Petitioner : Mr.A.Prakash

For Respondents : Mr.V.M.R.Rajendran

1 and 2 Addl. Public Prosecutor

For Respondents

R3 &R5 : Mr.R.Nalliyappan

O R D E R

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

This Habeas Corpus Petition has been filed by the wife of the detenu, namely, K.Sureka, aged about 47 years, praying that this Court may be pleased to direct the respondents 1 and 2 to produce him before this Court and to set him at liberty.

2. It has been stated that the detenu, who is the husband of the petitioner, was working as a Lorry Driver, in TRM Lorry Company, owned by the 4th respondent. From 09.01.2015, the detenu had been missing. Thereafter, the petitioner had spoken to the detenu on 17.01.2015. In such circumstances, the petitioner had preferred a complaint before the 1st respondent, on 22.01.2015. Since no steps have been taken, the petitioner had filed the present Habeas Corpus Petition.

3. Today, when the matter had been listed for hearing, the learned Additional Public Prosecutor, appearing on behalf of the 1st and 2nd respondents, had placed before this Court, a detailed Status Report, dated 01.03.2016, enumerating the steps taken by the respondent police in tracing the detenu. It has also been stated that the lorry driven by the detenu has been missing, along with the goods. Therefore, a case has been registered in Rudrapur Police Station, in Crime No.50 of 2015 under Section 392 of I.P.C., on 26.02.2015.

4. The learned Counsel appearing on behalf of the respondents 1 and 2 had submitted, that all necessary steps are being taken to trace the detenu.

5. In view of the averments made in the Status Report, dated 01.03.2016 and in view of the submissions made by the learned Additional Public Prosecutor, appearing on behalf of the respondents 1 and 2, we are of the view that no further orders are necessary in this Habeas Corpus Petition.

6. In the result, the Habeas Corpus Petition is dismissed. However, it is made clear that the respondent police shall continue the investigation to trace the detenu, in accordance with law.

-s/d-

Assistant Registrar

true Copy

Sub-Assistant Registrar

To:

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Salem City,
Sankagiri Main Road,
Annadhanapatti,
Salem-636 002.

2. The Inspector of Police,
B.6, Kondalampatti Police Station,
Salem City, Salem-636 010.

+1 cc to Mr.K.S.M.Vimalkanth Advocate sr.2236
+1 cc to Mr.R.Nalliyappan Advocate sr.22032

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