

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2016

Coram:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.352 of 2016

S.Subaitha

.. Petitioner

vs.

1.The Commissioner of Police
Salem City
Salem.

2.The Inspector of Police
Ammamet Police Station
Ammamet
Salem-636 003.

.. Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's son, namely, S.Syed Sameer, aged about 26 years, before this Court, and to set him at liberty.

For petitioner :Mr.K.A.Mariappan

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

O R D E R

(Order of the Court was made by S.NAGAMUTHU,J

The petitioner is the mother of one S.Syed Sameer, aged 26 years. On the allegation that, he has been found missing from 07.02.2016 onwards, the petitioner has come up with this petition, seeking to direct the respondents to produce the detenu, viz., S.Syed Sameer, aged about 26 years, before this Court, and to set him at liberty.

2. We have heard, Mr.K.A.Mariappan, the learned counsel appearing for the petitioner; Mr.V.M.R.Rajentran, the learned Additional Public Prosecutor appearing for the State; and we have also perused the records carefully.

3. The learned Additional Public Prosecutor appearing for the State would submit that based on the complaint of the petitioner, a case has been registered in Crime No. 89 of 2016 for "man missing" and the same is under investigation. He would further add that the investigation conducted so far revealed that the detenu had eloped with one Deepika, D/o.Pitchaimuthu, on his own accord.

4. Though, the detenu has not been secured so far, we are satisfied that the investigation has been done in a right direction. Since, we are satisfied that there is no illegal custody of the detenu, there is no scope to pass any orders as prayed for in this petition. The petition is, therefore, dismissed. It is made clear that the 2nd respondent police shall continue the investigation to trace the missing detenu and to take necessary steps, in accordance with law, as expeditiously as possible.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

paa

To

1.The Commissioner of Police
Salem City
Salem.

2.The Inspector of Police
Ammamet Police Station
Ammamet
Salem-636 003.

3.The Additional Public Prosecutor
High Court, Madras.

H.C.P.No. 352 of 2016

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