

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2016

Coram:

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

H.C.P.No.45 of 2016

R.Bakkiyavathi

.. Petitioner

vs.

State rep. by its
The Inspector of Police
Railway Police Circle
Perambur
Chennai-600 011.

... Respondent

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondent police to produce the body of the petitioner's husband, by name, P.Rajendran, aged about 59 years, before this Court, and to handover him to the custody of the petitioner and to set him at liberty.

For petitioner :Mr.Parigopal
For respondent :Mr.V.M.R.Rajentran,
Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition has been filed before this Court, by the wife of the detenu, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to direct the respondent police to produce the detenu, viz. P.Rajendran, aged about 59 years, before this Court, and to hand him over to the custody of the petitioner, and to set him at liberty.

2. The petitioner has stated that the detenu has been missing, from 06.08.2012, and therefore, she had lodged a formal complaint before the respondent police, on 14.02.2013, in connection with which, a case in Crime No. 126 of 2013, for "man missing", had been registered by the respondent police on the same day, namely, 14.02.2013. However, no steps have been taken by the respondent police to trace the detenu. Hence, the petitioner has preferred this Habeas Corpus Petition.

3. At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor appearing on behalf of the respondent had placed before this Court a status report, dated 10.02.2016, stating that the detenu is a mentally deranged person. It has also been stated that, all necessary steps have been taken to trace the detenu, in accordance with law.

4. In view of the above submissions made by the learned Additional Public Prosecutor appearing on behalf of the respondent, we find that no further orders are necessary in the present Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands closed. However, it is made clear that the respondent police shall continue the investigation to trace the missing detenu and to take necessary steps, in accordance with law.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Railway Police Circle,
Perambur,
Chennai-600 011.

2.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.Parigopal, Advocate Sr.11094

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svi(CO)
srg(14/03/2016)