

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

Coram:

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

H.C.P.No. 458 of 2016

Krishnan

.. Petitioner

vs.

- 1.The Superintendent of Police
Office of the Superintendent
Thiruvavarur District
Thiruvavarur.
- 2.The Commissioner of Police
Office of the Commissionarate
Coimbatore City
Coimbatore.
- 3.The Inspector of Police
Thiruthuraipoondi Police Station
Thiruvavarur District.
- 4.The Inspector of Police
Saravampatti Police Station
Coimbatore City.
- 5.Renuga @ Velvizhi
- 6.Murugesan
- 7.Rangamani
- 8.Bala @ Baladhandayuthapani
- 9.Natarajan

.. Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the 3rd respondent to produce the detenu, namely, Suresh, S/o.Krishnan, aged about 37 years, residing at Thiroupathi Amman Koil Street, Thiruthuraipoondi, Thiruvavarur District, before this Court and set him at liberty.

For petitioner :Mr.Ilayaraja Kandasamy

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

O R D E R

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

This Habeas Corpus Petition has been filed, by the father of the detenu, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to direct the 3rd respondent police, to produce his son, namely, Suresh, aged about 37 years, before this Court, and set him at liberty.

2. The petitioner is the father of the detenu. The petitioner has stated that the detenu, namely, Suresh, is his younger son. The detenu had married the 5th respondent. Out of the said wedlock, they have a child, who is aged about 4 years. It is alleged that the 7th respondent, who is the mother of the 5th respondent and the 8th respondent, who is the brother of the 5th respondent, are keeping the detenu, in their illegal custody. The petitioner has stated that, in this regard, he had lodged a complaint before the 3rd respondent police, on 23.09.2015. However, the said complaint has been given C.S.R.No.479/2015. As no effective steps have been taken, by the 3rd respondent police, to trace the detenu, the present Habeas Corpus Petition has been filed by the petitioner, before this Court.

3. In view of the submissions made by the learned counsel appearing on behalf of the petitioner and in view of the averments made in the affidavit filed in support of the petition, we do not find any cause or reason to grant the relief, as prayed for, by the petitioner, in this Habeas Corpus Petition. If the 3rd respondent police, had not acted upon the complaint, said to have been lodged by the petitioner, before the 3rd respondent police, it is for the petitioner to pursue the other remedies available to him, in accordance with law. We do not see any reason, to direct the 3rd respondent police, to trace the detenu, and produce him before this Court, at this stage.

4. In the result, this Habeas Corpus Petition stands dismissed. However, it is made clear that, it is open to the petitioner, to seek his remedies, if any, before the appropriate forum, in the manner known to law.

Sd/-
Asst.Registrar (AS)

/true copy/

Sub Asst. Registrar

paa

To

1.The Superintendent of Police
Office of the Superintendent
Thiruvarur District
Thiruvarur.

2.The Commissioner of Police
Office of the Commissionarate
Coimbatore City, Coimbatore.

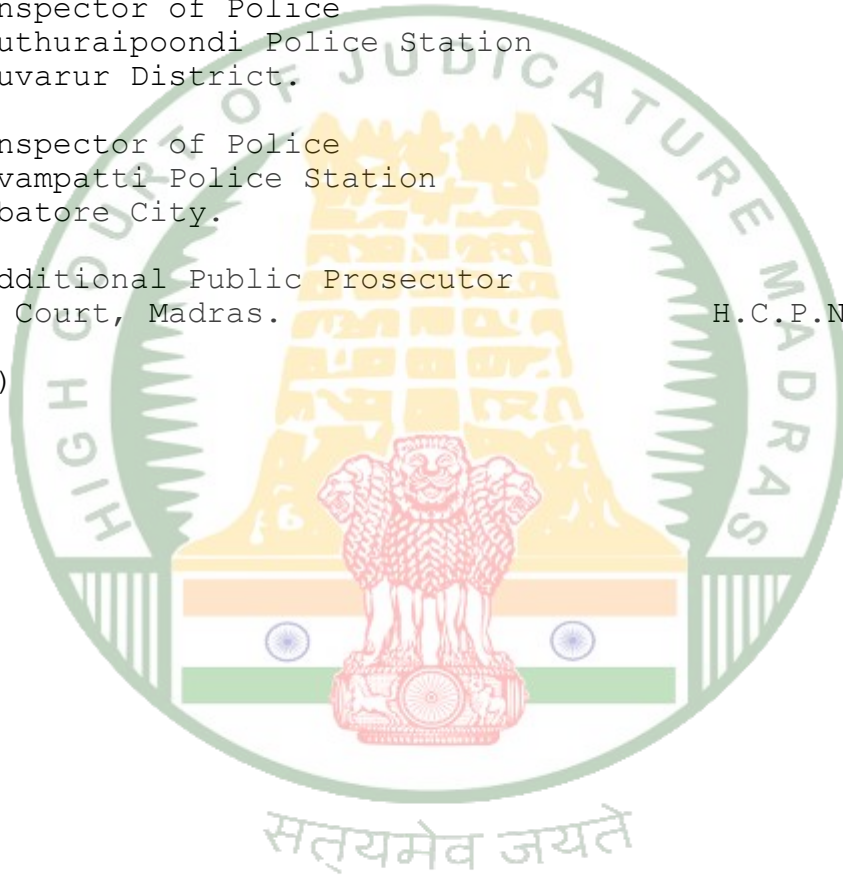
3.The Inspector of Police
Thiruthuraipoondi Police Station
Thiruvarur District.

4.The Inspector of Police
Saravampatti Police Station
Coimbatore City.

5.The Additional Public Prosecutor
High Court, Madras.

H.C.P.No.458 of 2016

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