

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-04-2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
AND
THE HON'BLE MR. JUSTICE P.KALAIYARASAN

H.C.P.No.758 of 2016

Chindhamani

... Petitioner

Vs

State by
Inspector of Police,
S.9 Palavanthangal Police Station
Chennai.
(Crime No.2702 of 2015)

... Respondent

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondent police to produce the body of the petitioner's husband, viz., Kannappan, aged about 55 years, before this Court and to set him at liberty.

For Petitioner : Mr.V.Selvaraj

For Respondent : Mr.M.Maharaja,
Additional Public Prosecutor

O R D E R

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

The petitioner is the wife of the detenu viz., Kannappan, aged about 55 years. According to the petitioner, the detenu Kannappan has been found missing from 27.12.2015 onwards. On a complaint made, a case has been registered in connection with the same in Crime No.2702 of 2015 for "Man Missing" on the file of the respondent police. Since, the respondent police has not so far traced out the detenu, the petitioner has come up with this petition.

2. We have heard Mr.V.Selvaraj, the learned counsel appearing for the petitioner; Mr.M.Maharaja, the learned Additional Public Prosecutor, who is taking notice on behalf of the respondent; and we have also perused the records carefully.

3. The records available before us would go to show that on the complaint made by the petitioner, a case has been duly registered in Crime No.2702 of 2015 and the matter is under investigation. As a matter of fact, effective steps are being taken, which is evident from the fact that even the pamphlets have been issued by the respondent police, calling for information from the general public about the whereabouts of the detenu, viz., Mr.Kannappan. Since, effective steps are being taken to trace out the detenu, we do not find any material even to infer that the detenu has been detained illegally. Therefore, there is no scope to issue any direction as prayed for in this petition. This petition deserves only to be dismissed. Accordingly, this Habeas Corpus Petition stands dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

paa

To

1. The Inspector of Police,
S.9 Palavanthangal Police Station
Chennai.
2. The Public Prosecutor
High Court, Madras.

+1cc to Mr.V.Selvaraj, Advocate, S.R.No.24420

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KK(CO)
CA(27/04/2016)

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