



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
AND
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

H.C.P. [MD] .No.1034 of 2016

P.Russel Raj : Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2.The State rep by
The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.

3.Jams Marine College,
Rep by its Principal, 6/290, Ganapathi Puram,
Pudukkottai, Poochikadu 628 653,
Kommadikkottai (via),
Thoothukudi District.

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu or his corpus namely, R.S.Vignesh, S/o.Russel Raj, Male, aged about 19 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondent Nos.1&2 : Mr.A.Ramar
Additional Public Prosecutor

For Respondent No.3 : Mr.S.Meenakshi Sundaram

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner is the father of one Mr.R.S.Vignesh, S/o.Russel Raj, aged about 19 years, [hereinafter referred to as "the detenu"]. According to the petitioner, the detenu was employed in Reef Elaf Ship Company, owned by the third respondent. But, he has been missing from 17.07.2016 onwards. In this regard, on a complaint made by the petitioner, a case has been registered in



Crime No.101 of 2016, by the Inspector of Police, Thattarmadam Police Station, for Man Missing. Since the boy has not been secured, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, the learned counsel appearing for the third respondent and we have also perused the records carefully.

3. The third respondent has filed a counter, wherein he has stated that the detenu was undergoing course under the third respondent till December 2015, and thereafter, he had no connection with the third respondent.

4. In the counter filed by the Inspector of Police, Thattarmadam Police Station, it is stated that as on the date of missing, the detenu was employed as an oiler in a shipping company, known as "Reef Elaf Ship Company". It is further stated that the said Ship commences its journey on 11.07.2016 from Egypt. While on journey, the detenu disappeared. In this connection, all out efforts were taken by the Shipping Company, but he was not secured. It is further stated that the said Shipping Company has agreed to pay some amount as compensation.

5. In the aforesaid circumstances, we find it difficult to grant the relief as prayed for by the petitioner in this Habeas Corpus Petition, except to direct the police to expedite the investigation. Accordingly, the Habeas Corpus Petition is closed with the above direction.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2.The Inspector of Police,
Thattarmadam Police Station, Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.S.Palani Velayutham, Advocate in SR.No.63999

+1 cc to M/s.S.Meenakshi Sundaram, Advocate in SR.No.63762

CSL/SS-2/08.11.2016: 2P/6C