



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM:

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

H.C.P.[MD].No.1223 of 2016

Kasi Viswanathan : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.State through Inspector of Police,
Jaihindpuram Police Station,
Madurai 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 second respondent to produce the body of the detenu, namely Manikandan, S/o.Kasi Vishwanathan, aged 27 years, before this Court and set him at liberty.

For Petitioner : Mr.S.Moorthy

For Respondents : Mr.A.Ramar,

Additional Public Prosecutor

O R D E R

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

The petitioner is the father of one Mr.Manikandan, S/o.Kasi Vishwanathan, aged 27 years. According to the petitioner, from 08.11.2013, Manikandan has been found missing. A complaint was made, in this regard, to the police only on 17.06.2016. Since, according to the petitioner, no action has been taken, he has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the State. We have also perused the records carefully.

3. From the averments, it is clear that the detenu has not been heard of for about three years. It is not explained to the



Court as to why no complaint was made immediately.

4. The learned Additional Public Prosecutor would, however, submit that steps are being taken to trace out the detenu.

5. In view of the above stated position, we find that there is no illegal detention. Therefore, this Habeas Corpus Petition is dismissed, however, with a direction to the respondent police to expedite the investigation of the case by registering a case for man missing.

Sd/-
Assistant Registrar (Writ)

/True Copy/

Sub Assistant Registrar

SML

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.

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

+1 cc to Mr.S.MOORTHY ,Advocate, Sr.No: 51716

JAM/SKS-RR/20.09.16/ 2P-5C

Order made in
H.C.P.[MD].No.1223 of 2016

Dated:
09.09.2016