



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2016

CORAM:

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

H.C.P.(MD)No.400 of 2016

V.Sathiyamoorthi : Petitioner

Vs.

1.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

2.The Inspector of Police,
Pasupathipalayam,
Karur District.

3.The Superintendent of Police,
Karur District, Karur.

4.Subramani

5.Vempayee

6.Nallathambi @ Murali

7.Subramani

8.Kasthuri

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents herein to produce the body of the missing petitioner's father namely Vellaisamy, son of Marappa Gounder, aged 65 years before this Court and set him at liberty.

For Petitioner : Mr.V.Sitharanjandas
(Vakalat was withdrawn)
No Appearance

For Respondents 1to3 : Mr.A.Ramar,
Additional Public Prosecutor

For Respondents 4&5 : Mr.K.Balasubramani

For Respondents 6&7 : Mr.S.Karthik

For Respondent No.8 : Mr.R.Mathiyalagan



ORDER

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

The learned counsel for the petitioner has withdrawn his appearance. He has also made an endorsement to that effect. The petitioner also has not made appearance. There is no other representation on behalf of the petitioner. We have heard the learned Additional Public Prosecutor appearing for the State and the respective learned counsel appearing for the respondents.

2. This is a Habeas Corpus Petition filed by the petitioner alleging that his father one Mr.Vellaisamy, S/o.Marappa Gounder, aged 65 years, has been found missing from 01.09.2015. On a complaint made, a case has been registered in Crime No.205 of 2015 and the same is under progress.

3. Today, when the Habeas Corpus Petition was taken up, the learned Additional Public Prosecutor submitted that a dead body was found during the course of investigation and it is suspected that the same is that of the detenu. In order to ascertain the facts, steps are being taken to conduct superimposition as well as DNA examination. Thus, according to the learned Additional Public Prosecutor, investigation is taken in the right direction.

4. Having regard to the said submission made, we find that no further direction could be given in this Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition is dismissed, leaving it open for the petitioner to approach this Court, if need be, after waiting for a reasonable time for the investigation to be completed.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

1.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.

2.The Inspector of Police,
Pasupathipalayam,

<https://hcservices.hcscourt.gov.in/hcservices>



3.The Superintendent of Police,
Karur District, Karur.

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

+1cc to M/s.S.Karthik, Advocate SR.No.52565
+1cc to M/s.K.Balasubramani, Advocate SR.No.52642
+1cc to M/s.R.Mathialagan, Advocate SR.No.52563

sml

sm:DB:26/09/2016:3P/8C

Order made in
H.C.P. (MD) No.400 of 2016
Dated:
15.09.2016