



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2016

CORAM:

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

H.C.P (MD) No.845 of 2016

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.. Petitioner

Vs.

1.The Superintendent of Police
O/o.the Superintendent of Police,
Nagercoil, Kanyakumari District

2.The Superintendent of Police,
O/o.the Superintendent of Police, Madurai.

3.The Inspector of Police (Law and Order)
Thirunagar Police Station, Thirunagar
Madurai District

.. Respondents

Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the respondents to produce the body of detenu namely, Prabu, S/o.Murugan, aged about 23 years before this Court and set him at liberty.

For Petitioner : Mr.M.Md.Ajeesdheen

For Respondents : Mr.A.Ramar
Addl.Public Prosecutor

ORDER

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

The petitioner is the mother of one Mr.Prabu, S/o.Murugan, aged 23 years. According to the petitioner, he has been found missing from 30.06.2016. In this regard, a complaint has been preferred to the respondents and the same is under enquiry. Since her son has not been secured, despite complaint, the petitioner is before this Court with this Habeas Corpus Petition.



2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The learned Additional Public Prosecutor submitted that there about 14 criminal cases are pending against the detenu and in almost all the cases, non bailable warrants are pending and the detenu is hiding elsewhere and he is wanted by the police to execute the non bailable warrant. The statement is recorded.

4. In view of the above statement, since we are satisfied that there is no illegal detention, no relief as prayed for could be granted. Therefore, this petition is dismissed with a direction to the respondent police to register a case for man missing and investigate.

Sd/
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police
O/o. the Superintendent of Police,
Nagercoil, Kanyakumari District
2. The Superintendent of Police,
O/o. the Superintendent of Police, Madurai.
3. The Inspector of Police (Law and Order)
Thirunagar Police Station, Thirunagar
Madurai District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to MR.MD.AJEESDHEEN, Advocate Sr.No.52185

ORDER MADE IN
H.C.P(MD)No.845 of 2016
12.09.2016

SMA/SS-3/06/10/2016 :2P/6C