In the High Court of Judicature at Madras

Dated: 13.04.2017

Coram:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.536 of 2017

Anjali .. Petitioner

vs.

1.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai-600 007

2.The Inspector of Police,
T-14, Mangadu Police Station,
Ambattur, Chennai.

3.Shiva .... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the 1st respondent police to produce the missing Boopalan, S/o.Chinnappan, aged about 38 years, before this Court and set him at liberty.

For Petitioner .. Mr.M.Soundar Vijay Aruiram

For Respondents.. Mr.V.M.R.Rajendran,Addl.P.P.
for R1 & R2

O R D E R

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

The petitioner is the mother of one Boobalan, Son of Chinnappan, aged 38 years. According to the petitioner, Boobalan, was a drunkard and there is no sign of any reformation in his life. He was found missing from 01.03.2017. In this regard, on a complaint made, a case was also registered in Crime No.629 of 2017 for 'man missing'. Since the detenu has not been secured, the petitioner has come up with this Habeas Corpus Petition.

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2. We have heard the learned counsel for the petitioner and we have also perused the records carefully.

3. From the averments made in the affidavit filed in support of this petition, it is crystal clear that there is no illegal confinement of the detenu. The detenu/Boopalan, who is a drunkard, has gone elsewhere and efforts are being taken by the petitioner to secure him. In view of the same, no relief, as prayed for by the petitioner, could be granted. Therefore, this habeas corpus petition is dismissed, however with a direction to the respondent police to proceed with the investigation in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msk

To
1.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai-600 007

2.The Inspector of Police,
T-14, Mangadu Police Station,
Ambattur, Chennai.

3.The Public Prosecutor,
High Court, Madras.

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AK(CO)
RS(02/05/2017)

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