

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU  
and  
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P No.1220 of 2016

P.Murugesh ... Petitioner/Father of the detenu

Vs

1.The Superintendent of Police,  
Erode District.

2.The Inspector of police,  
Erode Taluk Police station,  
Erode District.

3.Dr.A.M.J.Md.ZubairRahman ... Respondents

(R3 impleaded as per under of this Hon'ble Court dated  
23/09/2016 in CrI.M.P. 9902/16 in HCP. 1220/16)

Habeas Corpus Petition filed under Article 226 of the  
Constitution of India to issue a writ of Habeas Corpus directing  
the respondents to produce the body of the petitioner's son  
namely M.Anand, aged about 19 years, before this Court and set  
him at liberty.

For Petitioner : V.Paarthiban

For Respondent : V.M.R.Rajentren,  
1 & 2

Additional Public Prosecutor

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ORDER

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

The petitioner is the father of one Mr.Anand, aged 19 years.  
Mr.Anand was studying II year Bachelor of Engineering course at  
Al Ameen Engineering College, Nanjai Uthukuli, Erode. On  
21.04.2016, as usual, around 8.30 am, he went to the college.  
Thereafter, he did not return. From that date onwards, he has

been found missing. In this regard, the petitioner has made a complaint to the respondent Police on 23.04.2016 and on the basis of the same, a case in Crime No.190/2016 has been registered. Despite the same, Mr.Anand/detenu has not been secured by the Police is the grievance of the petitioner. Therefore, he has come up with this Habeas Corpus Petition.

2.The second respondent has filed a status report wherein, he has stated that the investigation has revealed that Mr.Anand/detenu had a love affair with one Ms.Raffia Burgana who was also then studying in the same college. The investigation has further revealed that on 21.04.2016, there was a quarrel between the detenu and Ms.Raffia Burgana because Ms.Raffia Burgana found from the cell phone of the detenu that he had spoken to some other girl for a long time through whatsapp. Ms.Raffia Burgana questioned him. There arose a quarrel. In that quarrel, around 12.30 pm, in the college premises, the detenu thrown away the cellphone and left the college. The Investigating Officer has examined many fellow students of the college and others also. He has also further narrated about the steps taken all along, in the matter of investigation, to secure the detenu. We are satisfied with the investigation done in this case. The Inspector of Police would state that he would continue the investigation and found out the detenu. The said statement is also recorded.

3.From the above narration of facts, it is crystal clear that there appears to have been no illegal detention of the detenu. Out of failure of love and out of quarrel with his girl friend Ms.Raffia Burgana, the detenu has left the college. The respondent Police has taken all his efforts to find him out.

4.In view of the same, we are inclined to close the Habeas Corpus Petition with a direction to the respondent Police to continue the investigation. Accordingly, the Habeas Corpus Petition is closed with a direction to the Investigating Officer to continue the investigation.

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

jbm

To

1.The Superintendent of Police,  
Erode District.

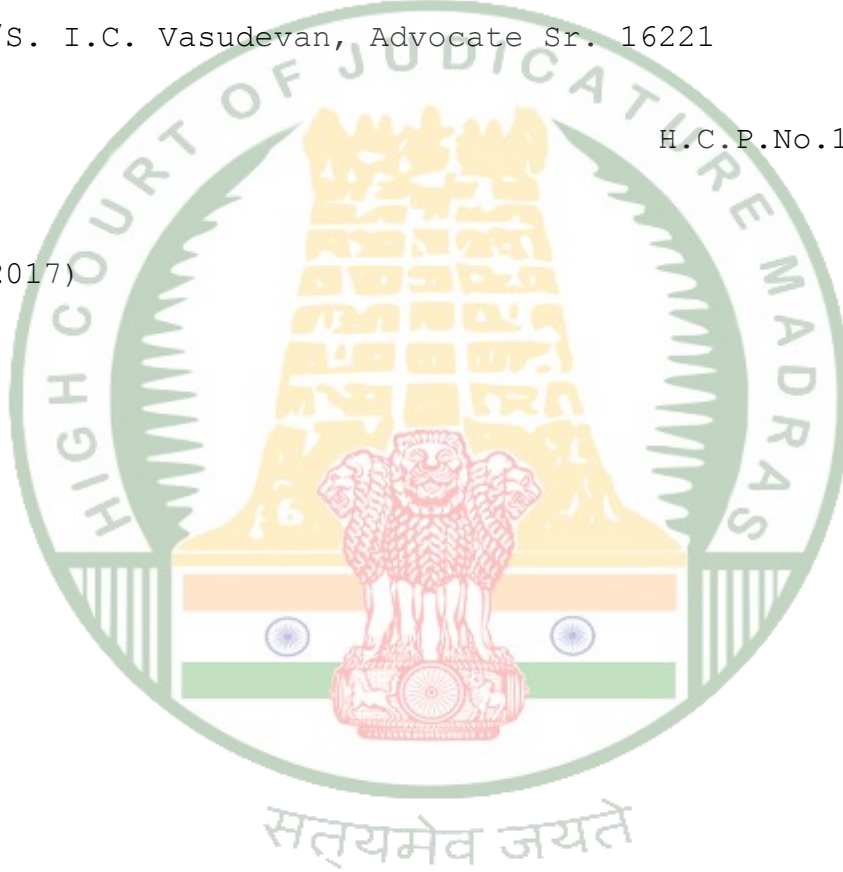
2.The Inspector of police,  
Erode Taluk Police station,  
Erode District.

3. The Public Prosecutor, High Court, Madras.

+lcc to M/S. I.C. Vasudevan, Advocate Sr. 16221

H.C.P.No.1220 of 2016

NRI (CO)  
VR(07/04/2017)



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