

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.1787 of 2016

J.Ravi

.. Petitioner

Vs

1.State by

The Inspector of Police,
V-6 Kolathur Police Station,
Chennai.

2.Commissioner of Police,
132, Commissioner office building,
EVK, Sampath Road,
Vepery, Chennai-600 007.

.. Respondents

2nd respondent impleaded as per order of this Hon'ble Court
dated 4.11.16 in CrI.MP.No.10729/16

Habeas Corpus Petition filed under Article 226 of the
Constitution of India to issue a writ of Habeas Corpus directing
the Respondent to produce to produce the body of the Minor
R.Pushparaj, missing in Cr.No. 82 of 2016 on the file of the
respondent police, before this Court and set him at liberty.

For Petitioner : Mr.Bharatha Chakravarthy,
for Mr.Sai Bharath and Ilan

For Respondent : Mr.V.M.R. Rajentren,
Additional Public Prosecutor

ORDER

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

The petitioner is the father of one Minor Pushparaj, aged 15
years. He was studying X standard in a private school known as
"Ever Win Matriculation Higher Secondary School, Kolathur,
Chennai". From 07.02.2016 onwards, he has been found missing. In
this regard, on a complaint made by the petitioner, a case has
also been registered in Crime No.82/2016. The detenu has not
been secured by the respondent Police so far, is the grievance
of the petitioner. Therefore, he has come up with this Habeas
Corpus Petition.

2.The Inspector of Police has filed a status report wherein, he has stated that the detenu secured poor marks in examination and therefore, the petitioner scolded him. Further, when the detenu wanted an Android cell phone, the petitioner refused to purchase the same. Because of these reasons, the detenu left the house. The said facts have been found out from the investigation.

3.From the narration of the above facts, we are convinced that there is no illegal detention and it is a simple case of 'boy missing'. The case is under investigation. Therefore, we cannot grant the relief sought for in this Habeas Corpus Petition.

4.In the result, the Habeas Corpus Petition is dismissed with a direction to the respondent Police to continue the investigation expeditiously.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

jbm

To

1.The Inspector of Police,
V-6 Kolathur Police Station,
Chennai.

2.Commissioner of Police,
132, Commissioner office building,
EVK, Sampath Road,
Vepery, Chennai-600 007.

3.The Public Prosecutor,High Court,Madras

+1cc to M/s.Sai Bharath & Illan,Advocate sr.16195

H.C.P.No.1787 of 2016

nr1(co)
ss(7/4/2017)