

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.04.2017

CORAM

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

H.C.P No.2634 of 2016

1.K.Mallika
2.S.Kumaravel

.. Petitioners

Vs

1.The Commissioner of Police,
Chennai City Police,
E.V.K.Sampath Salai,
Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
O/o Deputy Commissioner of Police,
Madhavaram,
Chennai - 600 060.

3.The Inspector of Police,
M2, Madhavaram Milk Colony
Police Station,
Madhavaram,
Chennai - 600 051.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution to issue a writ of Habeas to direct the third respondent to investigate the complaint/FIR, dated 02.12.2011 and secure the petitioners elder son Iyyappan @ Vasudevan from any illegal custody if any and produce him before this Court and set him at liberty.

For Petitioner : Mr.N.Ramesh
For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

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

The petitioners are the parents of one Mr.Iyyappan @ Vasudevan. According to the petitioners, Mr.Iyyappan @ Vasudevan has been found missing from 20.11.2011 onwards. On a complaint made by second petitioner, a case has been registered

by the respondent Police in Crime No.630/2011. But so far, Mr.Iyyappan @ Vasudevan has not been secured by the Police is the grievance of the petitioners.

2.Today, when the matter was taken up for hearing, the third respondent has filed a status report wherein, it has been stated that the petitioners have pressurized Mr.Iyyappan @ Vasudevan/detenu for marriage but, Mr.Iyyappan @ Vasudevan was not inclined to go for marriage. Since, there was continuous pressurize on the part of the petitioners, Mr.Iyyappan @ Vasudevan/detenu left the parental home and his whereabouts are not known. The third respondent would further state that steps are being to taken to trace out the detenu. The said statement is recorded.

3.In our considered view, there is no illegal detention of the detenu. Hence, there is no scope to issue a direction as sought for by the petitioner. Accordingly, the Habeas Corpus Petition is closed however, with a direction to the respondent Police to investigate the matter further.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Chennai City Police,
E.V.K.Sampath Salai, Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
O/o Deputy Commissioner of Police,
Madhavaram, Chennai - 600 060.

3.The Inspector of Police,
M2, Madhavaram Milk Colony
Police Station, Madhavaram,
Chennai - 600 051.

4.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.N.Ramesh, advocate, sr.23685.

mg(co)
krd 26/4

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