



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.[MD].No.790 of 2014

Marimuthu : Petitioner

Vs.

1.The District Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

3.The Deputy Superintendent of Police,
District Crime Branch,
Sivagangai District.

[R-3 impleaded as per the order of this Court
dated 01.12.2015, made in H.C.P.(MD)No.790 of 2014]

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body of the petitioner's son namely Sarath Kannan, aged 14 years, before this Court and handover to the petitioner's custody.

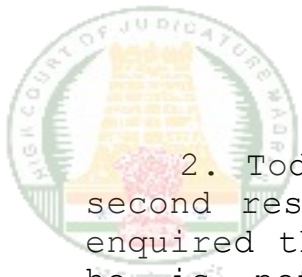
For Petitioner : Mr.J.John

For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

The petitioner is the father of the detenu - Sarath Kannan, aged about 14 years. He has filed the present Habeas Corpus Petition stating that his son was found missing from 17.02.2014 onwards and in this regard, he made a complaint to the second respondent on 21.02.2014, based on which, a case was registered in Sivagangai District Police Station No.105 of 2014 for 'boy missing'. Since no effective steps were taken to trace out the detenu, he filed the present Habeas Corpus Petition.



2. Today, when the matter was taken up for consideration, the second respondent produced the detenu before this Court. When we enquired the detenu, he told us that he is aged about 17 years and he is not interested in pursuing his studies and hence, he voluntarily left the house and went to Thiruppur and has been working there. When he came to know that his parents are searching for him through police by publication, he returned to home on his own accord. On our further enquiry, the detenu told that he is willing to go along with the petitioner.

3. Therefore, recording the submission made by the detenu, since the detenu is not in illegal custody of anyone, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The District Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
- 3.The Deputy Superintendent of Police,
District Crime Branch,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

sml

sm:GSV-SV:11/01/2017:2P/5C

Order made in
H.C.P.[MD].No.790 of 2014
Dated: 02.01.2017