



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

H.C.P.[MD].No.1401 of 2017

Nagalingam

: Petitioner

Vs.

The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.

: Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondent to produce the body and person of the detenu, namely, Hariharan, aged about 18 years, S/o.Nagalingam, before this Court and hand over the custody of the detenu to the petitioner.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.A.Ramar
Additional Public Prosecutor

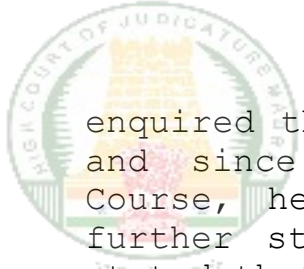
O R D E R

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

The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondent to produce the person or body of the detenu, namely, Hariharan, aged about 18 years, S/o.Nagalingam, before this Court and hand over his custody to the petitioner.

2. According to the petitioner, his son, the detenu herein, completed twelfth standard. On 14.06.2017, at about 07.00 PM, his son went to shop. Thereafter, he did not return back home. In this regard, the petitioner made a complaint before the respondent. On receipt of the said complaint, the respondent police registered a case in Crime No.492 of 2017. Since there were no effective steps taken by the respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the respondent police produced the detenu. When we



enquired the detenu, he has stated that he is aged about 18 years and since his father pressurized him to undergo Engineering Course, he went out of the home, on his own volition. He has further stated that he is not in illegal custody. He has also stated that now he is willing to go along with his father.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.ALAGUMANI, Advocate SR.No.81804

NB
MAS/MR-KKR/SAR2:12.10.2017:2P-4C

ORDER MADE IN
H.C.P. [MD] .No.1401 of 2017
05.10.2017