



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.12.2017**

CORAM:

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

AND

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

H.C.P. [MD] .No.1651 of 2017

Sekar : Petitioner

Vs.

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

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

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body or person of the detenu, namely, Vignesh, S/o.Sekar, aged about 22 years and produce him before this Court and set the detenu at liberty.

For Petitioner : Mr.S.Pugalendhi

For Respondents : Mr.C.Ramesh
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 respondents to produce the person or body of the detenu, namely, namely, Vignesh, S/o.Sekar, aged about 22 years and produce him before this Court and set the detenu at liberty.

2. According to the petitioner, his son, the detenu herein, was studying third year DME in Sastha Polytechnic College, Pudukkottai. From 30.04.2016 onwards, his son was found missing. In this regard, the petitioner made a complaint before the second respondent. On receipt of the said complaint, the second respondent police registered a case in Crime No.421 of 2017 for man missing. Since there were no effective steps taken by the



second 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 second respondent police produced the detenu. When we enquired the detenu, he has stated that he is aged about 22 years and he is presently working at Thiruppur. He has further stated that he married one Chellapriya, D/o.Venkatachalam, on 29.04.2016 at Palani and they were blessed with a female child, now aged about three months. The detenu has further that he is not in illegal custody and he is not willing to go along with the petitioner. We have enquired the petitioner also.

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(Crl side)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.S.Pugalendhi , Advocate in SR No. 90917

NB
AE/KK/SAR1/18.12.2017/2P/5C

**ORDER MADE IN
H.C.P. [MD].No.1651 of 2017
05.12.2017**