



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

H.C.P.[MD].No.464 of 2017

P.Thangavel

: Petitioner

Vs.

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

2.The Inspector of Police,
Koodakovil Police Station,
Madurai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the petitioner's father Palanichamy, S/o.Narayanasamy (aged about 50 years) or his body before this Court and set him at liberty based on the representation dated 23.03.2017.

For Petitioner : Mr.S.Sivaprakash

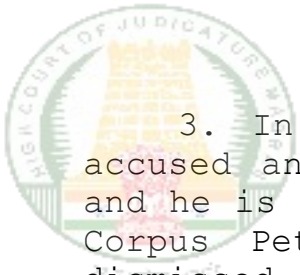
For Respondents : Mr.T.Mohan,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that his father Palanichamy went missing and, therefore, he has filed the present Habeas Corpus Petition for producing his father.

2. When the matter was taken up for hearing, the Inspector of Police, Koodakovil Police Station, Madurai District, is present in Court today. On instructions, the learned Additional Public Prosecutor submitted that the petitioner's father is an accused in Crime No.324 of 2016 under Section 302 of the Indian Penal Code that has been registered by Anthikadu Police Station, Thrissur District, and charge sheet has also been filed. It is also reported that the learned Judicial First Class Magistrate No.II, Thrissur, has issued a non-bailable warrant for securing the presence of the petitioner's father and when the Kerala Police came to Madurai, for executing the Non-bailable warrant, the present Habeas Corpus Petition has been filed.



3. In view of the fact that the petitioner's father is an accused and a warrant has been issued for securing his presence and he is an absconder, we are of the view that the present Habeas Corpus Petition is misconceived and accordingly, the same is dismissed.

WEB COPY

/True Copy/

Sd/-
Assistant Registrar()

Sub Assistant Registrar

To

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

H.C.P.[MD].No.464 of 2017
25.04.2017

SML
kk/MR/05.05.2017-2P-4C