



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

H.C.P.[MD].No.787 of 2017

K.Sivakami Kumarasamy

: Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.

2. The Inspector of Police,
Kallakudi Police Station, Kallakudi,
Trichy 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 and 2 to produce the body or person of the detenu, namely, Hariharan, S/o.Kumarasamy, aged about 32 years, before this Court and set him at liberty.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.T.Mohan

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. The present Habeas Corpus Petition has been filed by the mother of the detenu, who is a B.E., Graduate and working in a private company at Chennai and who is found missing since 02.02.2017. Even as per the averments set out in the affidavit filed in support of the Habeas Corpus Petition, there appears to be a matrimonial discord between the detenu and his wife. The petitioner has sent a complaint through post and has not appeared before the respondent police and therefore, at this juncture, we do not propose to issue any direction to the respondent police. However, we direct the petitioner to appear before the second respondent police and make a written complaint in a proper form, giving full details and if the same is done, the second respondent



police is directed to take the complaint on file, register a case, investigate the same in accordance with law and file a final report, as expeditiously as possible, preferably, within a period of two months from the date of receipt of the complainant.

3. The Habeas Corpus Petition is disposed of on the above terms.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.
2. The Inspector of Police,
Kallakudi Police Station, Kallakudi,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.N.Anandakumar, Advocate SR.No. 59002

ORDER MADE IN
H.C.P. [MD] .No.787 of 2017
06.06.2017

NB
JM/JC/SAR 2/12.06.2017/2P/5C