



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P.[MD].No.802 of 2017

R.Gomathi

: Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

2.The State represented by
The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.

3.S.Sundara Rajan

: 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 detenu or his corpus namely, Mr.G.Rajan, S/o.Ganesan, aged about 65 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.B.Vinoth Balan

For Respondents 1&2 : 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.

2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the detenu or his corpus namely Mr.G.Rajan, S/o.Ganesan, aged about 65 years, before this Court and set him at liberty forthwith.



3. The petitioner is the wife of the detenu, who is aged about 65 years and he was missing since 23.12.2016 and she has also lodged a complaint, which was registered as "Crime No.12 of 2017" on the file of the second respondent police.

4. The learned Additional Public Prosecutor, on instructions from the second respondent police, submits that the detenu is a suspected accused in respect of a murder case, where the watchman of Othakadai Varahi Amman Temple was murdered and the detenu is a Poojari and he is absconding and the police are taking effective steps to trace him. Thus, we find that it is not a case of illegal detention, but, it appears to be a case, where the detenu is hiding himself. Therefore, no direction as sought for by the petitioner could be issued. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

NB

AE/MR/SAR3/14.06.2017/2P/4C

**ORDER MADE IN
H.C.P. [MD] .No.802 of 2017
07.06.2017**