



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. SUBBIAH
AND
THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

H.C.P. (MD) No. 1658 of 2016

Manoharan : Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.

2. The Inspector of Police
Koodal Pudhur Police Station
Madurai City

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the body of petitioner's son namely, Amirtha Vignesh, aged about 25 years, the detenu herein before this Court and set him at liberty.

For Petitioner : Mr. R. Gandhi

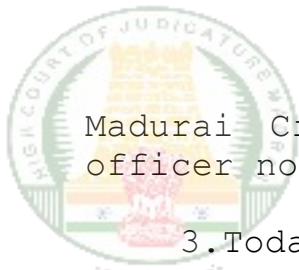
For Respondents : Mr. C. Ramesh
Additional Public Prosecutor

ORDER

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

The petitioner is the father of the detenu, viz. Amirtha Vignesh, aged 25 years. It is alleged in the affidavit that the detenu went missing from 21.02.2016. The petitioner lodged a complaint with the 2nd respondent to trace out his son. On receipt of the complaint, a case in Crime No. 227/2016 was registered for 'man missing'. Since no effective steps were taken, the petitioner is before this Court.

2. However, even after several adjournments, the detenu could not be traced. While so, on 25.04.2017, when the matter came up for hearing, this Court directed the Commissioner of Police,



Madurai City, to entrust the investigation in the case to an officer not below the rank of Assistant Commissioner of Police.

3.Today, when the matter was taken up for hearing, it is represented by the learned counsel for the petitioner that the Assistant Commissioner of Police may be directed to proceed with the investigation and complete the same by fixing a time frame.

4.In view of the submission made by the learned counsel for the petitioner, the Assistant Commissioner of Police, Madurai is directed to proceed with the investigation to trace out the detenu within a period of three months from today. If the detenu is not traced within the time stipulated by this Court, the petitioner is at liberty to approach this Court by filing a fresh petition.

5. This Habeas Corpus Petition is closed with the above direction.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City.
2. The Assistant Commissioner of Police,
Madurai City.
3. The Inspector of Police
Koodal Pudhur Police Station
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.R.Gandhi , Advocate in SR No. 92280

RR
AE/SV MMS/SAR4/02.01.2018/2P/6C

Order made in
H.C.P. (MD) No.1658 of 2016
Dated: 11.12.2017