

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.No.1556/2017

S.Roja ... Petitioner
vs.

1.The State by
The Sub Inspector of Police,
C-4, Rajiv Gandhi Government
General Hospital Police Station,
Park Town, Chennai-600 003.

2.The Medical Superintendent
Rajiv Gandhi Government General Hospital
Chennai-600 003.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's husband namely, M.Selvam, age 44 years, S/o.Muthukrishnan before this Court and handed over him to the petitioner.

For petitioner : Mr.P.Krishnan
For Respondents: Mr.R.Ravichandran,
GA [Crl.Side]

ORDER

(Order of the Court was made by Mrs.S.RAMATHILAGAM.,J)

This petition has been filed by the Wife, seeking for the production of her husband who was admitted at Rajiv Gandhi Government General Hospital, Chennai, for treatment in Ward No.125 and as there was no bed available in the said ward, he was allowed to stay on the floor and the petitioner was also permitted to accompany him. on 12.08.2015 at about 7.00 a.m., the detenu was found missing.

2. The fact of missing of the husband was noticed by the hospital authorities and they searched his whereabouts throughout the hospital and in relevant places. In spite of their effort, her husband was not traceable. Hence, the petitioner preferred this petition.

3. The respondent/Police have taken all efforts. In view of the direction given by this Court, in its earlier order, a status report has been filed on 11.09.2017. The said Report revealed the fact that based on the complaint filed on 11.08.2015, a case was registered under Section ''Man Missing'' and the police examined the witnesses i.e., Wife, Son, Daughter and two neighbours and all the witnesses have stated that the Detenu frequently consumes alcohol and fell down on the bus stops and nearby places. During investigation, it was revealed that the Detenu had consumed alcohol and had a quarrel in a temple festival at M.G.R.Nagar, and as per the case registered by the Kadamabathur Police Station, C.S.R.No.150/2014 has been issued against the Detenu and the same was also compromised. But after some time, it was found that in spite of efforts taken by the Police, the Detenu could not be found no way. The Inspector of Police, sent pamphlets which contains the details of the detenu along with his photo to the CRB (Crime Record Bureau) and that was also not caused any purpose and no clue can be obtained by the respondent. Despite publication in Tamil Dailies, no useful clue was obtained by the respondent. The respondent have also deputed number of Police officials in search of Detenu on various dates, but everything proved to be futile.

4. In spite of all efforts taken by the Police, by giving publication in every public places and railway stations, Temples, Market places, Auto stands, Orphanage Home, no clue was obtained and even in the second status report, dated 02.05.2018, the respondent/Police have explained that the repeated efforts taken by the Police resulted in vain. Hence, it serves no purpose in keeping this petition pending. Accordingly, this habeas corpus petition stands dismissed.

Sd/-

Assistant Registrar (CS-IV)

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Sub Assistant Registrar

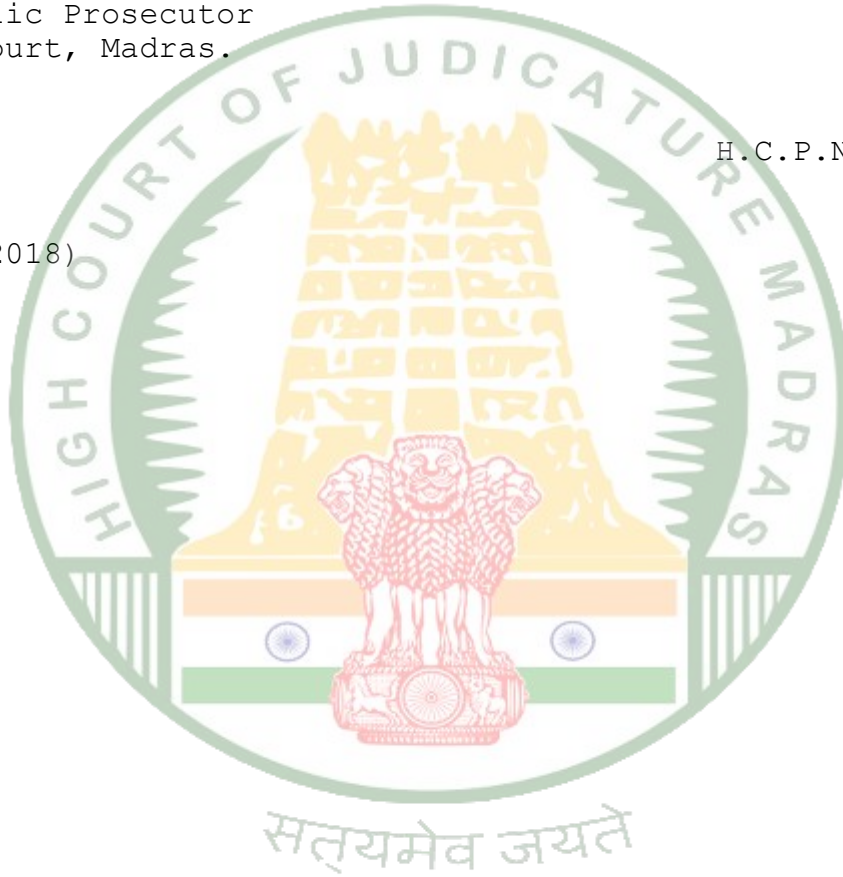
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To

- 1.The Sub Inspector of Police,
C-4, Rajiv Gandhi Government
General Hospital Police Station,
Park Town, Chennai-600 003.
- 2.The Medical Superintendent
Rajiv Gandhi Government General Hospital
Chennai-600 003.
- 3.The Public Prosecutor
High Court, Madras.

H.C.P.No.1556/2017

NRJK(CO)
TR(17/05/2018)



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