



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2018

CORAM:

WEB COPY

**THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

HCP [MD].No.1688 of 2017

Vanathai : Petitioner

Vs.

State represented by

1. The Superintendent of Police,
Theni District
Theni.

2. The Inspector of Police,
Varasanadu Police Station
Theni District

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the petitioner's son Karlmarx, S/o.Aandi, aged 21 years and his body before this Court and set him at liberty.

For Petitioner : Ms.Chamundi Bose

For Respondents : Mr.C.Ramesh

Additional Public Prosecutor

ORDER

[Order of the Court was made by
S.VIMALA, J]

This petition has been filed by the petitioner, who is the mother, to produce her son, namely, Karlmarx, aged 21 years, who went missing from 27.10.2017. Since his whereabouts are not known, the petitioner preferred a complaint to the respondent police on 04.11.2017. However, since no effective steps were taken, the petitioner is before this Court.

2. The respondent police has produced the detenu, namely, Karlmarx before this Court.



3. On enquiry, it is stated by the detenu that when his father's leg got amputated, unable to bear the family circumstances, he went away from his house and in the meantime, his house has been ransacked by the family members of one Nadhiya and in respect of which, when a complaint is given, it was not taken on file by the respondents 1 and 2. But the respondents 1 and 2 would state that no complaint has been received and if at all any complaint is preferred, they will register and investigate the case.

4. Considering the submission made by the detenu, namely, Karlmarx and in view of the fact that he has attained majority and he is desirous to accompany his parents, he is set at liberty to act as per his own wish.

5. The Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Ms. Chamundi Bose , Advocate in SR No. 40433

RR

AE/JC/SAR1/30.01.2018/2P/5C

**ORDER MADE IN
HCP . [MD] . No. 1688 of 2017
05.01.2018**