

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2019

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

H.C.P.No.188 of 2019

R.Sangeetha

..Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner
EVK Sampath Road,
Vepery,
Chennai - 600 007.

2. The Inspector of Police,
P-5 M.K.B.Nagar Police Station,
M.K.B.Nagar,
Vysarpadi,
Chennai - 600 039.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 2nd respondent to produce the body of the detenu S.Radhakrishnan aged about 68 years before this Court and set him at liberty.

For Petitioner : Mr.Shaikh Mehrunisa

For Respondents : Mr.R.Prathap kumar
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner is the daughter of the detenu - S.Radhakrishnan, aged 68 years, who is a mentally deranged person. Seeking a direction to the respondents for production of the missing detenu, the petitioner is before this court with this petition.

2. The detenu is stated to be missing from 23.07.2018 onwards. The learned Additional Public Prosecutor, on instructions, submitted that the a case has been registered for man missing and the investigation is still on. Due publication

followed by verification in the various Homes and Mortuaries have been made. However, no progress as of now.

3. Inasmuch as the detenu is missing for nearly one year, we are not inclined to keep this petition pending any longer. Accordingly, t his Habeas Corpus Petition stands dismissed, however, with a direction to the 2nd respondent to proceed with the investigation to trace the missing detenu and as and when the detenu is traced, he should be produced before the jurisdictional Magistrate.

kmk/msrm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Office of the Commissioner
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Vepery,
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सत्यमेव जयते

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