

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09..07..2019  
CORAM

The Honourable Mr Justice M.M.SUNDRESH  
and  
The Honourable Mr Justice M.NIRMAL KUMAR

Habeas Corpus Petition No.40 of 2018

A.Sakthivel

... Petitioner

-Versus-

1.The Superintendent of Police,  
Kancheepuram District at  
Collectorate Complex,  
Vandavasi Road, Kancheepuram.

2.The Inspector of Police,  
Manimangalam Police Station,  
Kancheepuram District.

3.Nallamuthu

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents herein to secure the body and person of the detenu - A.Subramanian, aged about 60 years, son of Aandi and the brother of the petitioner from the illegal custody of the 3rd respondent and for a further direction to the 2nd respondent to produce the detenu before this court, set him at liberty and restore his custody to the petitioner .

For Petitioner : S.Arivazhagan

For Respondents : Mr.C.Iyyapparaj, APP for  
RR1 and 2

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ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner is the brother of the detenu - A.Subramanian, aged about 60 years. This petition has been filed seeking production of the detenu before this court.

2. The learned Additional Public Prosecutor, on instructions, submitted that there is a property dispute among the family members of the detenu. The detenu is also having a share. As the detenu was absconding, the petitioner wanted the presence of the detenu to resolve the dispute. Investigation made so far did not reveal any result and the same is still going on.

3. In view of the above, we are not inclined to keep this petition pending any longer. The 2nd respondent is directed to continue with the investigation and take efforts to trace the detenu and as and when the detenu is traced he should be produced before the jurisdictional Magistrate.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Superintendent of Police,  
Kancheepuram District at  
Collectorate Complex,  
Vandavasi Road,  
Kancheepuram.
- 2.The Inspector of Police,  
Manimangalam Police Station,  
Kancheepuram District.
- 3.The Public Prosecutor, High Court, Madras - 104.  
+1cc to Mr.S.Arivazhagan , Advocate SR.No. 58174

H.C.P.No.40 of 2018

A.SK(13/08/2019)