

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 1161 of 2019

S.Jothi

... Petitioner

-vs-

1.The Commissioner of Police,
Poonamallee High Road,
Egmore, Chennai.

2.The Inspector of Police,
Velachery Police Station,
Velachery, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the second respondent to produce the body and person of the petitioner's son S.Prem Anand, S/o. Soundharapandian, aged 26 years, before this Court and set him at liberty.

For Petitioner : Mr.S.Sathyaraj

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor

सत्यमेव जयते
ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner is the mother of the detenu, who is aged about 26 years. As the detenu was missing and could not be secured despite complaint given, the present habeas corpus petition has been filed.

2. In the status report filed by the second respondent, the following statement has been made:-

"12. It is submitted that I have examined Meena who is working in Textile Shop opposite to the detenu shop and therefore I have examined her and she has stated that she used to speak with him as a brother and

stated that he is innocent and childish and also stated that recently the detenu's behaviour has got changed like by spitting on the public and filled the silencer of the two wheelers with stones. Further stated that during the month of March, 2019 someone informed the complainant that the detenu has been talking to the girl Meena, hence the complainant regarding this questioned and beaten him. Due to that, the detenu thrown his mobile which was broken and on that day onwards, the detenu was not using mobile phone."

3. Thus, prima facie, it appears to be a case of the detenu running away from the home. The status report also indicates the efforts taken till now. Thus, we are not inclined to keep this petition pending any longer while directing the second respondent to continue with the investigation. As and when the detenu is secured, he should be produced before the jurisdictional Magistrate.

4. In view of the above, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Commissioner of Police,
Poonamallee High Road, Egmore, Chennai.

2. The Inspector of Police,
Velachery Police Station, Velachery, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sathyaraj, Advocate, S.R.No. 80110

H.C.P. No. 1161 of 2019

SSD(CO)
GN(17/10/2019)