

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.1474 of 2019

R.Sakthivel .. Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore.
 2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Cuddalore.
 3. The Inspector of Police,
Cuddalore OT Police Station,
Cuddalore.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the respondents to produce Mr.Rajendran, son of late Deivakannu aged about 60 years to produce before this Court and set him at liberty.

For Petitioner

.. Mr.V.Monohar

For Respondents

.. Mrs.V.Sarathadevi
Government Advocate(Crl.Side)

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ORDER

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

The petitioner is the Nephew of the detenu - Mr.Rajendran, aged 60 years. Alleging that the detenu is missing by the activities of the other relatives in order to grab the property as he is a mentally deranged person, the present petition has been filed pursuant to the complaint given on 21.05.2019.

2. The learned Government Advocate (Criminal Side) submitted that the detenu is missing for a quite long time and the case registered in Crime No.386 of 2016 by the 3rd respondent on 26.06.2016 for 'Man Missing' is still pending. The earlier Habeas Corpus Petition filed H.C.P.No.2480 of 2018 was also closed.

3. The substantial grievance of the petitioner appears to be that in order to gain assets of the detenu, who is a mentally deranged person, the other relatives must have committed an offence. If that is the grievance, the 3rd respondent shall conduct proper investigation by taking note of the complaint given by the petitioner.

4. In the result, this Habeas Corpus Petition is dismissed with the above said directions.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kmk/msrm

To,

1. The Superintendent of Police,
Office of the Superintendent of Police,Cuddalore.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Cuddalore.

3. The Inspector of Police,
Cuddalore OT Police Station,Cuddalore.

4. The Public Prosecutor,
High Court of Madras,Madras.

H.C.P.No.1474 of 2019

A.SK(29/08/2019)