

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.2000 of 2017

Ruth Bakiyavathi

... Petitioner

Vs

1. The Commissioner of Police,
Vepery,
Chennai 600 007.

2. The Inspector of Police,
Guindy Police Station,
Chennai 600 032.

Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus directing the second respondent to produce Mr.Praveen, S/o.N.Alexander, age 29 years, before this Court and set him at liberty.

For Petitioner : Mr.Thobias Arul

For Respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor

सतयमेव जयते
O R D E R

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

The petitioner is mother of the detenu - Praveen. According to the petitioner, the whereabouts of her son is not known.

2. The learned Additional Public Prosecutor submitted that after a thorough investigation, a body was found with injuries. The friends of the detenu identified the body as that of the detenu. However, the petitioner is not cooperating for further investigation in identifying the dead body.

3. The learned counsel for the petitioner submitted that it is the case of the petitioner that the photographs produced are not that of his son.

4. We are not willing to go into the said issue. It is for the petitioner to cooperate with the investigating agency to take appropriate action. It appears that some investigation has already been done by the identifying the distinct marks on the body which was originally found with the deceased and the same were tallied with that of the marks found on the dead body. Thus, it is a disputed question which cannot be gone into in this matter. Therefore, we are inclined to close this petition. This Habeas Corpus Petition is closed accordingly giving liberty to the petitioner to workout his remedies in the manner known to law. We, however, make it clear that this order will not stand in the way of the respondents from proceeding further in the investigation.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kmk

To:

1. The Commissioner of Police,
Vepery,
Chennai 600 007.
2. The Inspector of Police,
Guindy Police Station,
Chennai 600 032.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.Thobias Arul, Advocate, S.R.No.50350

H.C.P.No.2000 of 2017

KS(CO)
CS/01/08/2019