

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.NO.1859 OF 2019

Suruliyamma

... Petitioner

Vs

1. The Commissioner of Police
Greater Chennai City Police,
Veppery, Chennai.

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

3. Sivaranjani

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's son Muthukumar aged about 32 years before this Court and set him at liberty.

For Petitioner : Mr.P.Dasarathan

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor
for R1 & R2

सत्यमेव जयते

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's son Muthukumar aged about 32 years before this Court and set him at liberty.

2. The petitioner is the mother of the detenue/Muthukumar. The third respondent is the wife of the detenue and in the month of June 2019, the third respondent left the matrimonial house

and went to the residence of one Rajasekar with whom she had a illegal intimacy. This created problem between the detenu/ Muthukumar and the third respondent. On 23.07.2019 the third respondent lodged a complaint before the second respondent stating that her husband/Muthukumar went missing on 19.07.2019. Again on 24.08.2019 the mother of the detenu gave a representation to the first and the second respondents to investigate the matter and find about her son/Muthukumar, but the same is still pending, hence the present Habeas Corpus petition has been filed.

3. The learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted a status report dated 05.12.2019 filed by the Inspector of Police, Thirumullaivayal Police Station, Chennai in which it is stated that the detenu borrowed amount from various person for more than Rs.35 lakhs and due to debt problem the detenu left from his house.

4. Heard both sides and perused the materials available on record.

5. It is seen from the status report dated 05.12.2019 filed by the Inspector of Police, Thirumullaivayal Police Station, Chennai that the detenu has borrowed more than Rs.35 lakhs from various persons and that he could not repay the amount, he left his house. The second respondent is directed to proceed with the investigation and to secure him.

6. With the above direction the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Commissioner of Police
Greater Chennai City Police,
Veppery, Chennai.
2. The Inspector of Police,
Tirumullaivayal Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1859 of 2019

PA(CO)
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