



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

HCP.(MD).No.382 of 2019

Deivanai

.. Petitioner

Vs.

1.The Superintendent of Police,
Karur District, Karur.

2.The Deputy Superintendent of Police,
Karur, Karur District.

3.The Inspector of Police,
Vengamedu Police Station,
Karur, Karur District.

.. Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents to produce in person or body of the petitioner's son Kamatchi Periyasamy @ Gokul, S/o.R.C.Ramalingam, aged about 31 years before this Court and set him at liberty.

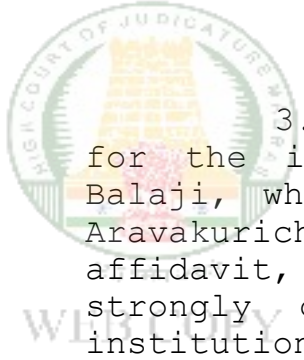
For Petitioner	: Mr.J.Senthil Kumariah for Mr.N.Rajasekar
For Respondents	: Mr.S.Chandrasekar Additional Public Prosecutor Mr.G.Prabhu Rajadurai [for proposed impleading party]

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The petitioner claims that her adopted son by name Kamatchi Periyasamy @ Gokul has been missing since 30.01.2019 and that notwithstanding her best efforts, the respondent police are not taking any action in the matter. The matter was listed yesterday and this Court posted it today to enable the learned Additional Public Prosecutor to obtain instructions.

2.Today, when the matter was taken up hearing, the learned Additional Public Prosecutor submitted that CSR has been already registered.



3. At this stage, Mr.G.Prabhu Rajadurai, the learned counsel for the intervener would submit that even though Thiru.Senthil Balaji, who is the candidate in the ensuing by-election for the Aravakurichi constituency is mentioned in paragraph - 4 of the affidavit, he has not been impleaded as a party. The learned counsel strongly contended that there is a motive behind the very institution of the complaint in question. Even though the so-called detenu is aged 31 years, his wife has not come to the Court to lodge this Habeas Corpus Petition. The petitioner, who claims to be the adoptive mother and she has not furnished any proof of such adoption. According to the counsel, she is acting at the instance of those who are inimically disposed towards his client.

4. We are of the view that no further observation or direction is warranted from this Court. Recording the submission of the learned Additional Public Prosecutor that CSR has been registered on the complaint in question, we close this Habeas Corpus Petition.

Sd/-

Vacation Officer

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Karur District, Karur.
2. The Deputy Superintendent of Police,
Karur, Karur District.
3. The Inspector of Police,
Vengamedu Police Station,
Karur, Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Rajasekar, Advocate, SR.No. 65653

HCP (MD) .No.382 of 2019
09.05.2019

MJ

KK/SAR/17.05.2019/ 2P- 6C