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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2019

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.435 of 2019

K.Kamatchi

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai-625 002.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai-625 012.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the first and second respondents to secure the detenu and produce the body or person, viz., K.Mohan, S/o K.Kamatchi, aged about 25 years before this Court and set him at liberty to the petitioner forthwith.

For Petitioner : Mr.T.Thirupathy

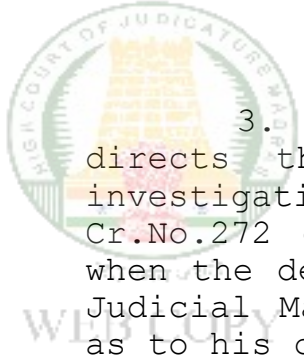
For Respondents : Mr.K.Dinesh Babu,
Additional Public Prosecutor.

ORDER

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

The petitioner is the father of the detenu viz., Mohan, who is aged about 25 years and according to him, he is found missing from 09.03.2019 and the effect made by him to contact him over mobile phone is ended in vain, for the reason that his mobile phone is switched off. The petitioner, being a father, apprehending safety, whereabouts and well being of his son, came forward to file this Habeas Corpus Petition.

2. Heard the submissions of the learned Counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the State and also perused the status report filed by the second respondent and it *prima facie* would disclose that some efforts have been taken to trace the detenu. As to the missing of the detenu, a case in Cr.No.272 of 2019 was also registered by the second respondent for "Man missing".



3. In the light above facts and circumstances, this Court directs the second respondent to conduct fair and impartial investigation with regard to the registration of the case in Cr.No.272 of 2019 and also expedite the investigation and as and when the detenu is traced, he shall be produced before the Court of Judicial Magistrate No.VI, Madurai, for passing appropriate orders as to his custody.

4. The second respondent is also directed to periodically inform the petitioner, as to the progress being made in the investigation. The Deputy Commissioner of Police, Law and Order, Madurai, is also directed to monitor the investigation and give necessary in-puts/instructions, as to the investigation being done by the second respondent.

5. The Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar (AD-II)

/ True Copy /

Sub Assistant Registrar (CS-)

Ssl

To

1. The Judicial Magistrate No.VI, Madurai
2. The Commissioner of Police,
Madurai City,
Madurai-625 002.
3. The Deputy Commissioner of Police,
Law and Order, Madurai.
4. The Inspector of Police,
Avaniyapuram Police Station,
Madurai-625 012.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.THIRUPATHY, Advocate (SR-73151[F] dated 03/07/2019)

H.C.P(MD) No.435 of 2019

03.07.2019