



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.507 of 2019

K.Vellaithai

... Petitioner

Vs.

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

2. The Inspector of Police,  
Nagamalai Pudukottai Police Station,  
Madurai District.

3. Muniyandi

4. Pappa

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the 1<sup>st</sup> and 2<sup>nd</sup> Respondents to produce the body of the detainee, Muthukumar, aged about 30 years from the illegal detention of the 3<sup>rd</sup> and 4<sup>th</sup> Respondents and set him at liberty.

For Petitioner

: Mr.Mark J.Jackson

For Respondents 1 & 2

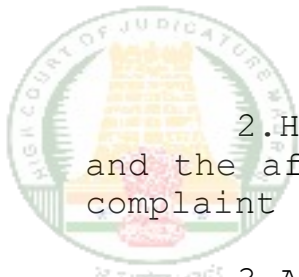
: Mr.K.Dinesh Babu

Additional Public Prosecutor

### O R D E R

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

The petitioner is the mother of the detainee, viz., Muthukumar, aged about 30 years, and the contents of the complaint dated 28.03.2019, lodged by the petitioner to the second respondent would disclose among other things that his son/detenu is married and on 06.01.2019 he left the home for attending a job and he did not return and despite her search, his whereabouts is not known for the past five months and the alleged missing had something to do with the private respondents and hence, she has come forward to file the present habeas corpus petition.



2. Heard the learned counsel appearing for the petitioner and the affidavit filed in support of the petition as well as the complaint given to the second respondent.

3. A perusal of the complaint and the contents of the affidavit filed in support of the petition would prima-facie disclose that there may not be any illegal detention of the detenu at the hands of the private respondents. However, taking into account the anxiety exhibited by the petitioner as to the whereabouts and security of the detenu, this Court directs the second respondent to enquire into the complaint/representation given by the petitioner and communicate the result of the enquiry/decision taken to the petitioner, as expeditiously as possible.

6. The Habeas Corpus Petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

sj

To

1. The Superintendent of Police,  
Madurai District, Madurai.
  2. The Inspector of Police,  
Nagamalai Pudukottai Police Station, Madurai District.
  3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- + 1 CC to Mr. Mark. J. Jackson, Advocate in SR.No.69931

**H.C.P(MD)No.507 of 2019**

**17.06.2019**

**KS(25.06.2019) 2 P 5 C**