



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

WEB COPY

DATE : 02.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 577 OF 2019

Pathrakali

.. Petitioner

- Vs -

1. The Commissioner of Police
Madurai City, Madurai - 2.

2. The Inspector of Police
Avaniapuram Police Station,
Madurai City, Madurai - 2.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the person or body of the petitioner's son, viz., Madadsamy, S/o (Late) Rathinavelu, aged 29 years, before this Hon'ble Court and set him at liberty.

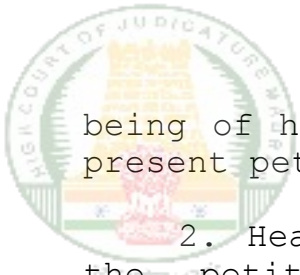
For Petitioner : Ms. R.Saraswathi

For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the mother of the detenu, viz., R. Madasamy, aged about 29 years and according to her, she is a widow and her son is employed at Srinivas Hotel, Munnar, Kerala State and that the betrothal ceremony for marrying him to one G.Renukadevi, which was held on 17.2.19. The petitioner further states that for the purpose of receiving the salary, the detenu went to Munnar during the first week of March, 2019, but he did not return and attempts were made to contact him through mobile phone, but it was switched off and expressing concern about the safety and well



being of her missing son, the petitioner has come forward with the present petition.

2. Heard the submissions of the learned counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice on behalf of the respondents and on instructions, submit that with regard to the missing of the detenu, a case in Crime No.638/2019 was registered on 2.7.2019 for 'Man Missing' and initial investigation reveal that the detenu did not like the marriage arrangement and he is hiding on his own volition.

3. Be that as it may, in the light of the apprehension expressed by the petitioner, who is the mother of the detenu, this Court directs the 2nd respondent to continue with the investigation in Crime No.638/2019 registered by them for 'Man Missing' and as and when the detenu is traced, he shall be produced before the Judicial Magistrate No.6, Madurai, for passing appropriate orders as to his custody.

4. The Assistant Commissioner of Police, Tiruparankundram Circle, shall monitor the investigation of the above said case registered by the 2nd respondent and the 2nd respondent shall also periodically inform the progress of the investigation to the petitioner.

5. This habeas corpus petition is disposed of with the aforesaid direction.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Assistant Commissioner of Police
Tiruparankundram Circle
Madurai.
2. The Inspector of Police
Avaniapuram Police Station,
Madurai City, Madurai - 2.
3. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1cc to Mr.M.MAHENDRA PRABHU, Advocate, SR.No. 72680

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