



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 10.07.2019

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THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 610 OF 2019

Balamani

.. Petitioner

- Vs -

1. The Commissioner of Police
Madurai City, Madurai.

2. The Inspector of Police
Keeraithurai Police Station
Madurai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court for the issuance of a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's son, viz., Kannan, S/o Malaichamy, aged about 19 years before this Hon'ble Court, and set him at liberty.

For Petitioner : Mr. S.Vikram

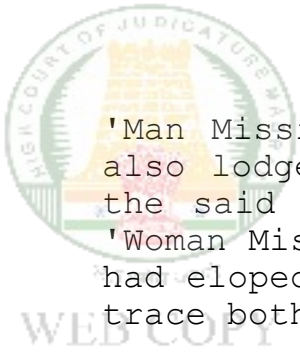
For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the mother of the detenu, viz., Kannan, aged about 19 years and according to her, her son went out on 24.6.19 under the pretext of getting employment in neighbouring Kerala State, but he did not return and apprehending about the safety and well being of his son, has lodged a representation on the file of the 1st respondent and since no proper response is forthcoming, has come forward to file the present petition.

2. Heard the submission of the learned counsel for the petitioner and Mr.Dinesh Babu, learned Addl Public Prosecutor, who accepts notice for the 2nd respondent and on instructions, submit that with regard to the missing of the detenu, a case in Crime No.614/19 has been registered by the 2nd respondent on 3.7.19 for



'Man Missing' and similarly the husband of one Shanmugapriya, has also lodged a complaint stating that his wife is also missing and the said complaint culminated into a case in Crime No.605/19 for 'Woman Missing' and enquiry in both the FIRs reveal that the detenu had eloped with Shanmugapriya and all out efforts is being taken to trace both of them.

3. In the light of the abovesaid facts, the 2nd respondent is directed to conduct fair and speedy investigation in both the crime numbers and as and when the detenu as well as the alleged paramour are traced, both of them shall be produced before the Judicial Magistrate No.4, Madurai, for passing appropriate orders as to their custody. The 2nd respondent shall keep the petitioner informed of the progress in the investigation periodically. The Assistant Commissioner of Police, Thiruparankundram is also directed to monitor the investigation and give necessary inputs to the 2nd respondent.

4. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

GLN

To

1. The Judicial Magistrate No.4, Madurai.
2. The Commissioner of Police
Madurai City, Madurai.
3. The Inspector of Police
Keeraithurai Police Station, Madurai.
4. The Assistant Commissioner of Police
Thirupparankundram, Madurai.
5. The Addl. Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.S.VIKRAM, Advocate Sr. No.74867

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