



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P.(MD) No.1490 of 2018

N.Sumathy

... Petitioner

-vs-

1.The Commissioner of Police
Madurai City, Madurai

2.The Inspector of Police
Avaniyapuram Police Station
Madurai City, Madurai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the Respondents no.1 & 2 to produce the petitioner's brother namely Somasundaram (Detenue) is aged about 54 years, s/o.Narayanasamy, either in person by body before this Court.

For Petitioner: Mr.G.Rajaguru

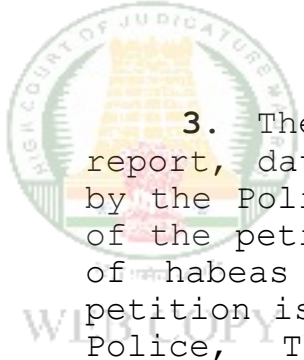
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

Today, Mr.K.Peer Mohaideen, Assistant Commissioner of Police, Thirupparankundram Sub-Division and Mr.M.Elavarasu, Inspector of Police, V2-Avaniyapuram Police Station, Madurai District, are present.

2. It is the case of the petitioner that her brother Somasundaram, aged about 54 years, went missing since May, 2018, in connection with which, on the complaint given by the petitioner, a case in Avaniyapuram Police Station Crime No.989 of 2018 for man missing has been registered and investigation is in progress.



3. The Assistant Commissioner of Police has filed a status report, dated 15.02.2019, detailing the steps that are being taken by the Police to trace the petitioner's brother. Since the brother of the petitioner is not in the illegal detention of anyone, a writ of habeas corpus cannot be issued. Hence, the habeas corpus petition is closed with a direction to the Assistant Commissioner of Police, Thirupparankundram Sub-Division, Madurai District, to monitor the investigation in Crime No.989 of 2018 that is being conducted by the Inspector of Police, Avaniyapuram Police Station and keep the petitioner informed of the developments, if any, from time to time.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar(CS)

To:

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police,
Thirupparankundram Sub-Division, Madurai District.
- 3.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1490 of 2018
15.02.2019

KRK

KK/SAR-/20.03.2019/2P-5C