

H.C.P.No.74 of 2020

• • •

versus

5.Natarajan

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Respondents

For Petitioner : Mr.N.Devarajan
For Respondent Nos.1 to 4 : Mr.R.Prathap Kumar
Additional Public Prosecutor
For Respondent No.5 : Mr.D.R.Arunkumar

O R D E R

[Order of this Court was made by R.SUBBIAH, J.]

This Habeas Corpus Petition is filed by the petitioner-father praying to issue a Writ of Habeas Corpus, directing the respondents to produce the body of his son, M.Maheswaran, aged

about 19 years, from the alleged custody of the fifth respondent, before this Court and set him at liberty.

2. The petitioner has stated in the affidavit filed in support of this petition that, the petitioner is residing at Door No.63, New Natham Main Road, K.Puthur, Madurai. The petitioner's wife is working as a Training Office Assistant at Electricity Board in the Deputy General Manager Office, Training Centre at Race Course, K.Puthur, Madurai. They are having one daughter and one son, who is studying at Hindustan Polytechnic College at Coimbatore in first year Diploma Course in EEE. While studying in a school at Erode District, the detenu, along with fifth respondent's daughter, -N.Dharshini, who is presently studying first year B.E. Course in the Venkateswara Engineering College, developed love affair and even after completion of school studies, the love affair continues.

3. While so, during the college vacation period, the detenu stayed with his family and after vacation, on 07.02.2019, he went to Coimbatore to join his college. Thereafter, the petitioner contacted him over phone, but he did not make any reply and hence, when the petitioner contacted his friends at Coimbatore, they informed that the detenu did not join the college after vacation. When the petitioner enquired with the fifth respondent, he has also not given any proper reply. Therefore, on 13.12.2019, the petitioner lodged a complaint before the third respondent police. Since the police has not taken any action, the petitioner is before this Court with the present Habeas Corpus Petition.

4. Today, when this Habeas Corpus Petition is taken up for consideration, the learned Additional Public Prosecutor appearing for the State, has filed a Status Report of the fourth respondent before this Court stating that the fourth respondent is the appropriate authority to consider the complaint of the petitioner, whereas the petitioner has lodged a complaint before the third respondent.

5. The learned counsel for the petitioner submitted that the petitioner's son and the fifth respondent's daughter got married and they are living together now. He further submitted that the petitioner is not interested to pursue the Habeas Corpus Petition.

6. In view of the same, nothing survives for further adjudication in this Petition. Hence, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sri

To

State Rep. by its,

1.The Superintendent of Police,
Erode District.

2.The Deputy Superintendent of Police,
Erode District.

3.The Inspector of Police,
Town Police Station,
Erode District.

4.The Inspector of Police,
Appakudal Police Station,
Bhavani Taluk,
Erode District.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.R.Arunkumar,Advocate, S.R.No.6799/2020

+1cc to Mr.N.Devarajan, Advocate, S.R.No.6964/2020

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SR(CO)
nvi/29.05.2020