

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No.553 of 2020

Thami Munnisa

... Petitioner

-vs-

1.The Commissioner of Police,
Greater Chennai Police,
Vepperi, Chennai.

2.The Inspector of Police,
Ambatur Police Station,
Ambattur, Chennai.

3.N.Sowmiya

4.Narasimmarow

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the respondents to physically bring the body of the petitioner's son Riyasudin, son of Mohammed Rafiq, aged about 30 years, before this Court and set him at liberty.

For Petitioner .. Mr.K.P.S.Saravanakumar

For Respondents .. Mr.R.Prathap Kumar
Addl. Public Prosecutor
for R1 and R2

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner is the mother of the detainee. Stating that she is missing from the year 2014 - 05.06.2014 onwards, a complaint has been given on 21.09.2019. The petitioner suspects the role of respondents 3 and 4, who are none other than the wife and father-in-law of the detainee.

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2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that the petitioner is not cooperating for the enquiry.

4. Learned counsel appearing for the petitioner submitted that the petitioner would cooperate for the enquiry.

5. We do not find any illegal detention involved in this case. Admittedly, the detainee is not with respondents 3 and 4. The complaint itself has been given after about four and half years.

6. Accordingly, the habeas corpus petition stands closed. The petitioner is at liberty to appear before the second respondent police station and cooperate for the enquiry. The second respondent is directed to complete the enquiry within a period of four months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Commissioner of Police,
Greater Chennai Police,
Veppery, Chennai.

2. The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai.

3. The Public Prosecutor,
High Court, Madras.

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