

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2020

Coram

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

H.C.P. No. 869 of 2020

M.Kishore Kumar

S/o.Murugan

No.162, Sathiyams Homes

Block No.- D, Ground Floor

Lakshmi Nagar, 7th Street

Madipakkam

Chennai - 91.

... Petitioner

-vs-

1.The Commissioner of Police

Thuraipakkam

Chennai - 600 097.

2.The Inspector of Police

J-9, Thuraipakkam Police Station

Thuraipakkam

Chennai - 600 097.

3.The Managing Director

Bhavan Cyber Tech

Thuraipakkam

Chennai - 600 097.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus to direct the 1st and 2nd respondents to produce the petitioner's brother Sathishkumar, S/o.Murugan, aged 26 years, before this Court, from illegal custody of the 3rd respondent and to set him at liberty.

For Petitioner : Mr.S.N.Arunkumar

For Respondents : Mr.R.Prathap Kumar,
Addl. Public Prosecutor

ORDER

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

The petitioner is the brother of the detenu. Seeking a direction to respondents 1 and 2 to produce the detenu, the present habeas corpus petition has been filed.

2.Learned Additional Public Prosecutor, on instructions, submitted that the investigation would reveal that there is a civil dispute between the petitioner and the brothers, pursuant to which the detenu left the home on his own. However, a case has been registered and efforts are on to trace the detenu.

3.In view of the above, we do not find any illegal detention involved. Accordingly, the habeas corpus petition stands closed. However, the respondent police is directed to continue the investigation and secure the detenu. As and when the detenu is secured, he should be produced before the jurisdictional Magistrate. However, if no progress is made, it is well open to the petitioner to come forward with a fresh petition.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

raa/mmi/ssm
To

1.The Commissioner of Police
Thuraipakkam
Chennai - 600 097.

2.The Inspector of Police
J-9, Thuraipakkam Police Station
Thuraipakkam
Chennai - 600 097.

3.The Managing Director,
Bhavan Cyber Tech,
Thuraipakkam, Chennai - 97.

4.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 869 of 2020

BR(CO)
GN(31/07/2020)