

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P.No.1311 of 2020

V.Paunammal @ Ponnammal,
Wife of Vinayakam,
No.21, East Coovam River Road,
Pudupet, Annasalai,
Chennai - 600 002.

... Petitioner

Vs.

State represented by:-

1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery,
Chennai - 600 007

2.Inspector of Police,
F2, Pudupet Police Station,
Pudupet,
Chennai - 600 002.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to produce the body of petitioner son viz., V.Loganathan, son of Vinayakam, before this Court and set him liberty.

For Petitioner : Mr.G.Madhan Raj
for Mr.B.Govinda Prabhu
For Respondents: Mrs.M. Prabhavathi,
Additional Public Prosecutor.

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O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter was heard through "Video Conference".

2.The petitioner's son is said to be missing from the year 2014 onwards. The petitioner's son was working in Government Hospital, Royapettah. It seems he has borrowed money from Co-

operative Society and failed to re-pay the same. After receiving the summons from the Co-operative Society for repayment of loan availed by the petitioner's son, the present petition has been filed by the petitioner.

3. Heard the learned counsel appearing on behalf of the petitioner as well as the learned Additional Public Prosecutor appearing on behalf of the respondents.

4. Though the learned counsel appearing for the petitioner would submit that the missing person is an alcoholic and it is not known where he is, this Court is not convinced with the reasons stated by the petitioner as to why she kept quiet for the past six years without giving any complaint and only when she receives summons from the Co-operative Society for repayment of loan availed by her son, the present petition is filed.

5. In view of the above said circumstances, this Court is of the opinion that only to avoid the repayment of the amount borrowed by her son, the present petition is filed with malafide motive.

Hence this petition is dismissed.

Sd/-
Assistant Registrar(CS-I)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 600 007

2.Inspector of Police,
F2, Pudupet Police Station,
Pudupet, Chennai - 600 002.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.B. Govindaprabu, Advocate SR.NO..26386

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BR(CO)
EU 31.8.2020



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