

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 9/10/2020

C O R A M

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE Mr. JUSTICE D.KRISHNAKUMAR

Habeas Corpus Petition No.1698 of 2020

D.Raja

...Petitioner

Vs

1. The State
rep. By the Inspector of Police
M 6 Manali Police Station
Manali
Chennai 600 051.

2. The Commissioner of Police
Greater Chennai Corporation
Egmore
Chennai 600 007.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents to produce the body of the petitioner's father namely Dhanasekaran @ Selvasekaran, aged about 65 years before this Court and set him at liberty.

For petitioner Mr.P.Manikannan

For respondents ... Mr.R.Prathap Kumar
Additional Government Pleader

O R D E R

(Delivered by M.M.SUNDRESH,J)

Instant Habeas Corpus Petition has been filed to direct the respondents to produce the body of the petitioner's father namely Dhanasekaran @ Selvasekaran, aged about 65 years before this Court and set him at liberty.

2. Mr.R.Prathap Kumar, learned Additional Public Prosecutor, on instructions, submit that there was not much of a contact between the petitioner and detenu. Petitioner was left along with his mother years back by the detenu. He would

further submit that investigation would reveal that the detenu was not residing within the jurisdiction of the first respondent at any point of time. Petitioner also withdrew his earlier complaint on 28/8/2020.

3. Public Prosecutor, made remarks on the representation of the petitioner, dated 23/7/2020 which reveals that the petitioner made an enquiry on 26/2/2018 in the place of work of the detenu. It appears the detenu retired from his service during 2018.

4. In view of the aforesaid factual position, we are not inclined to keep the instant Habeas Corpus Petition pending any longer. However, the first respondent is directed to proceed with the investigation and make endeavour to secure the detenu. Liberty is given to the petitioner to approach an appropriate authority based upon any new information which he might receive in future.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police
M 6 Manali Police Station
Manali
Chennai 600 051.
2. The Commissioner of Police
Greater Chennai Corporation
Egmore
Chennai 600 007.
3. The Additional Public Prosecutor
Chennai.

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H.C.P.No.1698 of 2020

LN(CO)
RV(05/11/2020)