



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Wednesday, the Twentieth day of January Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
AND
The Hon`ble Mr.Justice G.ILANGO VAN

HCP(MD) . No.1243 of 2020

Sappani

... Petitioner

Vs

- 1 The Secretary
Ministry to External Affairs,
South Block- Raisina Hill,
New Delhi, India.
- 2 The High Commissioner of India,
High Commissioner of India at Malaysia,
442, Jalan Pahang, Setapak, 5300,
Kuala Lumpur.
- 3 The Secretary
Home Department,
Government of Tamilnadu,
St.George Fort, Chennai.
- 4 The Commissioner of Police,
O/o. Police Commissionerate, Madurai.
- 5 The Director,
Directorate of Rehabilitation and Welfare
Non-Resident Tamil, Ezhilagam Annex,
Fourth Floor, Chepauk, Chennai-5.
- 6 The District Collector,
Madurai District, Madurai.

... Respondent

Prayer :-

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the 1 to 6 respondents to produce the person of the detainee Boominathan,



petitioner son aged about 34 years before this Honourable Court so as to set him at liberty.

ORDER:- This Habeas Corpus Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Raja.Karthikeyan, Advocate for the Petitioner and of Ms.L.Victoria Gowri, Assistant Solicitor General of India For R1 and R2 and Mr.K.Dinesh Babu , Government Advocate for the respondent 3 to 6, this Court made the following order:

It is represented by Ms.L.Victoria Gowri, learned Assistant Solicitor General of India appearing for the respondents 1 and 2 that as per direction of this Court dated 30.12.2020, the first respondent herein considered the representation of the petitioner and it was found out that on 31.12.2020, a deadbody was buried in Goat and Chicken Shelter at Ladang Kampung Air Manis in Malaysia. It is further stated that the deadbody was identified that of the detenu Boominathan by his colleagues and now they are waiting DNA profiling. The learned Assistant Solicitor General has given a dates and events narrating the facts of this case.

2.The learned counsel for the petitioner would submit that the detenu Boominathan was a labourer and his family needs cooperation from the respondents, for which, the learned Assistant Solicitor General would submit that the Ministry of External Affairs, New Delhi, is ready to provide all possible help to the petitioner.

3.Recording the said submission of both the counsels, we are of the opinion that no further order is necessary in this petition.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

- 1 The Secretary
Ministry to External Affairs,
South Block- Raisina Hill,
New Delhi, India.



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High Commissioner of India at Malaysia,
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Non-Resident Tamil, Ezhilagam Annex,
Fourth Floor, Chepauk, Chennai-5.
- 6 The District Collector,
Madurai District, Madurai.
- 7 The Additioal Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai (2 Copies)

ORDER DATED : 20/01/2021

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ORDER
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HCP(MD). No.1243 of 2020

Giving direction and etc.
as stated within.

NR (01/02/2021) 3P : 10C