

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.370 of 2021

D.Thamizharasi
D/o.P.Damodaran

... Petitioner

versus

1.The Superintendent of Police,
Villianur, Pondicherry.

2.The Inspector of Police,
(Law and Order)
Thirukkanur Police Station,
Pondicherry - 605 501.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents herein to produce the father of the petitioner P.Damodaran, aged 58, before this Court and set him at liberty.

For Petitioner : Mr.Ravichandran Sundaresan
For Respondents : Mr.R.Muniyapparaj
Government Advocate [Crl. Side]

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

This petition has been filed seeking a direction to the respondents to produce the petitioner's father viz. P.Damodaran before this Court and set him at liberty.

2. Heard the learned counsel for the petitioner and the learned Government Advocate [Crl. Side] appearing for the respondents.

3. It is the case of the petitioner that her father P.Damodaran went missing since 19.12.2020 and that, the Police are not taking effective steps to secure him.

4. On notice, the second respondent has filed a detailed counter affidavit dated 15.03.2021, wherein, he has stated that P.Damodaran had floated small savings financial scheme, in which, collected money from 18 persons, had not returned the same. Therefore, the aggrieved persons have filed complaints before the Police and on coming to know of it, P.Damodaran had gone absconding. It is clearly stated that P.Damodaran is not in the custody of the respondent police herein.

5. In such view of the matter, it cannot be stated that P.Damodaran is in the illegal custody of any person for the issue of Habeas Corpus. Hence, this Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sri

To

1. The Superintendent of Police,
Villianur, Pondicherry.
2. The Inspector of Police,
(Law and Order)
Thirukkanur Police Station,
Pondicherry - 605 501.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.370 of 2021

RK(CO)
PM(13/07/2021)

WEB COPY