

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.04.2021

CORAM

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

H.C.P.No.430 of 2021

V.Kandasamy,
S/o.Vaiyapuri

...

Petitioner /
Father of the detenu

versus

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sankagiri Main Road,
Nethimedu, Salem - 636 022.

2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Vazhapadi, Salem - 636 115.

3.The Inspector of Police,
Vazhapadi Police Station,
Salem District - 636 115.

4.Madanika,
D/o.Selvam

...

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the respondents herein more particularly the Inspector of Police, Vazhapadi Police Station, Salem District, the third respondent herein to produce the body and person of the detenu by name K.Prabhakaran, son of V.Kandasamy, aged about 29 years, who is the elder son of the petitioner herein before this Court and set him at liberty.

For Petitioner : Mr.B.Sanjay Balachandar
for Mr.T.Shanmugam

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

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

It is the case of the petitioner that his elder son K.Prabhakaran, aged about 29 years went missing from 23.11.2020 and that the police have not taken steps to secure him.

2. On instructions, Mr.R.Prathap Kumar, learned Additional Public Prosecutor submitted that, on the complaint given by the petitioner, a case in Vazhapadi Police Station Crime No.199 of 2021 for 'man missing' has been registered and enquiries conducted by the police reveals that the petitioner's son has eloped with one Madanika (4th respondent).

3. In view of the above, this Habeas Corpus Petition stands closed, with a direction to the second respondent viz. The Deputy Superintendent of Police, Vazhapadi, to monitor the investigation in Vazhapadi Police Station Crime No.199 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu viz. K.Prabhakaran is secured, he may be produced before the learned District Munsif cum Judicial Magistrate, Vazhapadi, under intimation to the petitioner. On such production, the District Munsif cum Judicial Magistrate, Vazhapadi, shall pass appropriate orders with regard to the custody of the detenu.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sri

To

1.The District Munsif cum Judicial Magistrate,
Vazhapadi.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sankagiri Main Road,
Nethimedu, Salem - 636 022.

3.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Vazhapadi, Salem - 636 115.

4.The Inspector of Police,
Vazhapadi Police Station,
Salem District - 636 115.

5.The Public Prosecutor,
High Court, Madras.

H.C.P.No.430 of 2021

A.SK(10.06.2021)



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