

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 471 of 2020

Nagapushanam

.. Petitioner

Vs

1. State of Tamil Nadu,
Rep. by the District Superintendent of Police,
Ranipet District, Ranipet - 632 401.
2. The Sub Inspector of Police,
Arcot Police Station,
Arcot - 632 503.

.. Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the respondents police to produce the body of the person S.Balaganesan, aged about 23 years, before this Court and handover to the petitioner.

For Petitioner : Mr.R.Malaichamy

For Respondents: Mr.R.Prathap Kumar,
Addl.Public Prosecutor

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the respondents police to produce the body of the person S.Balaganesan, aged about 23 years, before this Court and to handover him to the petitioner, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his son Balaganesan, aged about 23 years and who is mentally retarded, went missing on 29.10.2019 and thereafter, his whereabouts are not known.

3.Today, Mr.A.Thangadurai, Grade I Police Constable, Arcot Town Police Station, Ranipet is present.

4.The Inspector of Police, Arcot Town Police Station, Ranipet, has filed a detailed status report, wherein it is stated that on the complaint given by the petitioner, a case in Arcot Town Police Station Crime No.705 of 2019 for man missing has been registered on 31.10.2019 and steps are being taken to find out the whereabouts of the petitioner's son.

5.A reading of the status report shows that the police are doing their best to trace the whereabouts of the petitioner's son. Since the petitioner's son is not in the illegal custody of anyone, this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Ranipet Sub Division, to monitor the investigation in Arcot Town Police Station Crime No.705 of 2019 and keep the petitioner informed of the developments, if any. As and when the petitioner's son is secured, he may be produced before the Judicial Magistrate, Arcot, under intimation to the petitioner and the learned Magistrate shall pass appropriate orders of custody in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Superintendent of Police,
Ranipet District, Ranipet - 632 401.

2.The Judicial Magistrate, Arcot.

2.The Sub Inspector of Police,
Arcot Police Station, Arcot - 632 503.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Malaichamy, Advocate, sr no.11933

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JPII(CO)

RMP(16/03/2021)