

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P. No.506 of 2021

S.Arivazhagan

...Petitioner

Vs.

1 The Superintendent of Police
Office of the Superintendent of Police
Thiruvarur District

2 The Deputy Superintendent of Police
Office of the Superintendent of Police
Thiruvarur
Thiruvarur District

3 The Inspector of Police
Thiruvarur Police Station
Thiruvarur Town and District

...Respondents

Petition filed under Article 226 of the Constitution of India, seeking a writ of habeas corpus directing the respondents to produce the body of detenu, son of the petitioner, whose whereabouts is not known, viz., Minor A.Mathesh, aged about 15 years, before this Court and hand over his custody to the petitioner.

For petitioner Mr.B.Ramamoorthy
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 son viz., Mathesh, aged about 15 years, left home with Rs.5,000/- on 09.02.2021, on the pretext of buying his school uniform from a ready-made garment shop, but, did not return and that the police are not taking effective steps to secure him.

2. On instructions, the learned Additional Public Prosecutor submitted that, Mathesh had left home earlier on 21.09.2020, in connection with which, a case in Tiruvarur Taluk P.S.Crime No.1387 of 2020 was registered on 21.09.2020 and during the pendency of the investigation, he returned home on 03.10.2020 and therefore, the said case was closed; again, he has left home on 09.02.2021, in connection with which, on a complaint given by the petitioner, a fresh case in Tiruvarur Taluk P.S.Crime No.223 of 2021 for "boy missing" has been registered on 10.02.2021.

In view of the above, this Habeas Corpus Petition stands closed with a direction to the Deputy Superintendent of Police, Tiruvarur Sub-Division to monitor the investigation in Tiruvarur Taluk P.S.Crime No.223 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu viz., Mathesh is secured, he may be produced before the Judicial Magistrate, Tiruvarur, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of the detenu.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

- 1 The Judicial Magistrate
Tiruvarur
- 2 The Superintendent of Police
Office of the Superintendent of Police
Thiruvarur District
- 3 The Deputy Superintendent of Police
Thiruvarur Sub-Division
- 4 The Inspector of Police
Thiruvarur Police Station
Thiruvarur Town and District
- 5 The Public Prosecutor
High Court, Madras

H.C.P. No.506 of 2021

VBM(CO)
SP(15/06/2021)