

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

Coram

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

H.C.P. No. 616 of 2020

Rajasekar

.. Petitioner

Vs

1.State,
Rep. by The Superintendent of Police,
Office of Superintendent of Police,
Erode.

2.The Inspector of Police,
Gobichettipalayam Police Station,
Gobichettipalayam, Erode District.

3.P.Rajkumar

4.P.Saravanan

5.Muthayal

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the respondents to produce the body of the petitioner's father named Subramaniam, aged about 63 years, before this Court and set him at liberty.

For Petitioner : Mr.N.Ponraj
For Respondents: Mr.R.Prathap Kumar,
Addl.Public Prosecutor
for R1 & R2

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ORDER

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

Seeking a direction to the respondents to produce the body of the petitioner's father by name Subramaniam, aged about 63 years, before this Court and to set him at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his father Subramaniam, aged 63 years, is in the illegal custody of his uncles and aunt viz., respondents 3 to 5 and that the police are not taking effective steps to secure him.

3.Today, Mr.J.Muthusamy, Sub Inspector of Police, Gobichettipalayam Police Station, Erode District is present.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Gobichettipalayam Police Station Crime No.662 of 2018 was registered for man missing and during investigation, it came to light that respondents 3 to 5 were keeping the petitioner's father in illegal detention and that the petitioner's father has gone missing.

5.In view of the above, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Gobichettipalayam to monitor the investigation in Gobichettipalayam Police Station Crime No.662 of 2018 and keep the petitioner informed of the developments, if any. As and when the detenu is secured, he shall be produced before the Judicial Magistrate, Gobichettipalayam, under intimation to the petitioner.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Office of Superintendent of Police,
Erode.

2.The Inspector of Police,
Gobichettipalayam Police Station,
Gobichettipalayam, Erode District.

3.The Deputy Superintendent of Police,
Gobichettipalayam.

4.The Judicial Magistrate, Gobichettipalayam.

5.The Public Prosecutor, High Court, Madras.

H.C.P. No. 616 of 2020

A.SK(24.03.2021)