



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.06.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P.No.875 of 2021

P.Rajakumari

Petitioner

Vs.

1.The Superintendent of Police
O/o.The Superintendent of Police
Cuddalore District
Cuddalore

2.The Inspector of Police
Virudhachalam Police Station
Virudhachalam
Cuddalore District

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 and 2 to produce the body or person of petitioner's father Anjapuli, S/o.Subburaiyan, aged about 80 years before this Court and set him at liberty.

For Petitioner : Mr.M.Senthilkumar

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.]

It is the case of the petitioner that, her father Anjapuli, aged about 80 years, went missing from 25.02.2021 and that the police are not taking effective steps to secure him and hence, the present writ petition seeking the aforesaid relief.

2. On instructions, the learned Government Advocate (Crl. Side) submitted that, on a complaint given by the petitioner, a case in Virudhachalam P.S.Crime No.252 of 2021 was registered on 22.04.2021 for "man missing" and investigation is in progress.



3. Even in the complaint, the petitioner has stated that her father had a quarrel with her brother Veeraselvan, aged about 50 years and left the house on 25.02.2021. It is her further case that her father would normally go to Kerala and therefore, she thought that he had gone there and hence, she did not complain to the police immediately. The complaint has been lodged two months later, based on which, the police have registered the above FIR.

4. In such view of the matter, it cannot be stated that Anjapuli is in the illegal custody of any person, for issuance of a writ of habeas corpus. Hence, this petition is closed with a direction to the Deputy Superintendent of Police, Cuddalore, to monitor the investigation in Virudhachalam P.S.Crime No.252 of 2021 and keep the petitioner informed of the developments, if any. As and when Anjapuli is secured, he shall be produced before the Judicial Magistrate No.I, Virudhachalam, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders. The petitioner is directed to cooperate with the police and furnish all necessary information sought by them.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

gya

To

1..The Superintendent of Police
O/o.The Superintendent of Police
Cuddalore District
Cuddalore

2.The Deputy Superintendent of Police
Cuddalore

3.The Judicial Magistrate No.I
Virudhachalam

4.The Inspector of Police
Virudhachalam Police Station
Virudhachalam
Cuddalore District



5.The Public Prosecutor
High Court, Madras

WEB COPY

KV(CO)
CB(22/07/2021)

H.C.P.No.875 of 2021