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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1064 of 2021

V.J.Raghu Srinivas
S/o.Jagathnarayan

...Petitioner

Vs.

1. The Commissioner of Police, Chennai,
Office of the Greater Chennai Police,
Veppery, Chennai.
2. The Sub-Inspector of Police,
C-4, Rajiv Gandhi Government
G.H. Police Station,
Flower Bazaar, Chennai.
3. The Dean,
Rajiv Gandhi Government General Hospital,
Park Town, Chennai - 600 003.

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing respondents 1 and 2 to produce the body of the missing person C.Kathirvel s/o.Chinnavellandi, who was admitted in RGGGH, Chennai, on 22.05.2021 for Covid-19 treatment, before this Court.

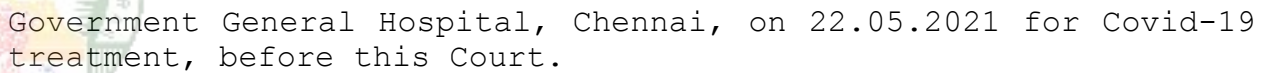
For Petitioner : Mr.R.Rajaratnam

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]

This petition has been filed seeking a direction to the respondents 1 and 2 to produce the body of the missing person C.Kathirvel s/o.Chinnavellandi, who was admitted in Rajiv Gandhi



3. Today, the petitioner has filed an additional affidavit dated 05.08.2021. A reading of the same shows that the family members and friends of the petitioner were independently searching the police website relating to unidentified bodies and they stumbled upon a case in Egmore PS Crime No.383 of 2021, in which, a dead body was found on the platform near Hotel Sudha, Egmore. The petitioner felt that the dead person, in that case, could possibly be the missing Kathirvel and accordingly, he contacted the Egmore police and shared the information with regard to the registration of man missing case by the Flower Bazaar police. It appears that the Egmore police, under whose jurisdiction, the dead body of an unnamed person was found on 27.05.2021, registered a case in Crime No.383 of 2021 u/s.174 Cr.P.C. and sent the dead body to the mortuary in Rajiv Gandhi Government General Hospital, where the body was kept for a month. Thereafter, postmortem was conducted on 28.06.2021 and the body was buried after following the protocol relating to disposal of 'unidentified bodies'.

5. The Egmore police is directed to find out from the available CCTVs in and around Hotel Sudha as to how the body of Kathirvel suddenly was found there. The postmortem report shows that 'the deceased would appear to have died due to effects of cerebrovascular disease - Natural cause'. The Egmore police is directed to take necessary steps for registering the death of Kathirvel with the help of Corporation authorities, within a period of four weeks from the date of receipt of a copy of this order. The properties and documents, if any, belonging to Kathirvel, which are not required by the police, may be handed over to his family forthwith.



With the above direction, this Habeas Corpus Petition is closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Commissioner of Police, Chennai,
Office of the Greater Chennai Police,
Veppery, Chennai.
2. The Sub-Inspector of Police,
C-4, Rajiv Gandhi Government
G.H. Police Station,
Flower Bazaar, Chennai.
3. The Dean,
Rajiv Gandhi Government General Hospital,
Park Town, Chennai - 600 003.
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1064 of 2021

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NSK 02/09/2021