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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.1060 of 2021

A.Kuzhandaivel

..Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore,
Cuddalore District.

2. The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.

3.Kamalakkannan

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the first and second respondents to produce the petitioner's son K.Anandhavel, son of Kuzhandaivel, aged about 20 years, before this Court from the illegal custody of the third respondent and set him at liberty.

For Petitioner : Mr.S.N.Arunkumar

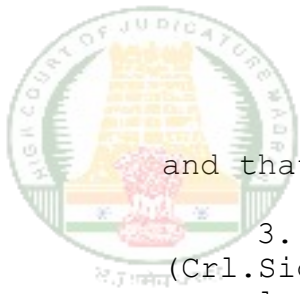
For RR 1 and 2 : Mr.R.Muniyapparaj
Govt. Advocate (Crl.Side)

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the first and second respondents to produce the petitioner's son K.Anandhavel, son of Kuzhandaivel, aged about 20 years, before this Court from the illegal custody of the third respondent and set him at liberty.

2. It is the case of the petitioner that his son K.Anandhavel, aged about 20 years, went missing from 24.06.2021



and that the police are not taking effective steps to secure him.

3. On instructions, the learned Government Advocate (Crl.Side) submitted that the enquiry conducted by the police revealed that the petitioner's son Anandhavel was in love with one Gayathri and has eloped with her. In this regard, on a complaint given by the third respondent, a case in Muthandikuppam Police Station Crime No.305 of 2021 has been registered on 28.06.2021 under Section 366-A IPC against the petitioner's son.

4. In such view of the matter, since the petitioner's son has been shown as an accused in Muthandikuppam Police Station Crime No.305 of 2021 and he is at large, a writ of habeas corpus cannot be issued as prayed for by the petitioner. As and when the petitioner's son Anandhavel, aged about 20 years, is secured, he may be dealt with in accordance with law.

Recording the same, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Superintendent of Police,
Cuddalore, Cuddalore District.
2. The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.C.Ramkumar, Advocate, S.R.No.33251

H.C.P.No.1060 of 2021

PM(CO)
RGA(05/08/2021)