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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2021

CORAM

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

H.C.P.No.1314 of 2021

S.Maheswaran
S/o.Late Siva

..Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Ambattur Police District,
Greater Chennai City Police,
Ambattur, Chennai.
3. The Assistant Commissioner of Police,
Avadi Police Range,
Greater Chennai City Police,
Avadi, Chennai.
4. The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the fourth respondent to produce the body or person of (i) Dasarathan, aged about 48 years (ii) Thilagavathy, aged about 40 years (iii) Dhanush Kumar, aged about 16 years and (iv) Divya Darshini, aged about 11 years before this Honourable Court and set them at liberty.

For Petitioner : Ms.S.Senthilnathan

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 fourth respondent to produce the detainees viz., (i) Dasarathan, aged about 48 years (ii) Thilagavathy, aged about 40 years (iii) Dhanush Kumar, aged about 16 years and (iv) Divya Darshini, aged about 11 years.

2. On 26.08.2021, we passed the following order:

'It is the case of the petitioner that one Dasarathan, aged about 48 years, a very important witness in S.C.No.34 of 2020 pending on the file of the Special Court for trial of Cases against M.Ps. And M.L.As., Chennai, has gone missing and his whereabouts are not known.

2. The said Dasarathan was a Watchman in the house of the petitioner for over 14 years and suddenly, he has gone missing. Therefore, the petitioner has filed the present habeas corpus petition.

3. Today, G.Mohan, Grade-I Police Constable 29928, T-7, Tank Factory Police Station, Avadi, Chennai, is present.

4. On instructions, Mr.R.Muniyapparaj, learned Government Advocate (Crl.Side) submitted that though the fourth respondent/police had sent a summon to the petitioner to appear, he has not appeared.

5. We direct the petitioner to appear before the fourth respondent/police immediately and cooperate with the enquiry. The police are directed to produce Dasarathan, aged about 48 years, before this Court on 07.09.2021.

Post the matter on 07.09.2021.'

3. Today, Mr.A.Rajasekaran, Sub-Inspector of Police and Mr.K.Hari Ganesh, Head Constable (HC 27995), T-7 Avadi Tank Factory Police Station, are present. They produced Dasarathan before us.

4. When enquired, Dasarathan stated that he had gone to his native place at Panruti and he is residing there with his family. He has given his address and mobile number, which are as under:

Dasaradhan S/o.Rajamanickam, No.67, Pachaivazhiyamman Nagar,



Chinna Semakottai, Cuddalore - 607 106. Mobile No.: 90809 34631.

In view of the above, this Habeas Corpus Petition is closed.

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Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Special Court for trial of
cases against M.Ps. and M.L.As.,
(S.C.No.34 of 2020)
Singaravelar Maligai,
Chennai Collectorate,
Chennai - 600 001.
2. The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai - 600 007.
3. The Deputy Commissioner of Police,
Ambattur Police District,
Greater Chennai City Police,
Ambattur, Chennai.
4. The Assistant Commissioner of Police,
Avadi Police Range,
Greater Chennai City Police,
Avadi, Chennai.
5. The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.
6. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Senthilnathan, Advocate, S.R.No.45331

H.C.P.No.1314 of 2021

PA(CO)
RGA(24/09/2021)