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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

H.C.P.No.1460 of 2021

N.Ponnan
S/o.P.Natesan

.. Petitioner

Vs.

State by

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

2.The Inspector of Police,
Tirukoilur Police Station,
Tirukoilur, Kallakurichi District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus seeking a direction to the respondents to bring and produce the detenu by name Sankarraaj, aged about 33 years, before this Court and set him at liberty.

For Petitioner : Mrs.R.Hemalatha
for Mr.C.Prakasam

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents to produce the detenu Sankarraaj, aged about 33 years, before this Court and set him at liberty.

2. On 21.09.2021, we passed the following order:
'Today Gunasekaran (Mobile No.94981 53007), Police
Head Constable, Thirukovilur Police Station,



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Kallakurichi District, is present.

2. It is the case of the petitioner that his son Sankarraaj, aged about 33 years, got married to one Bhuvaneshwari on 23.11.2017 and has a girl child through the wedlock. It is the further case of the petitioner that the whereabouts of his son Shankarraaj are not known since May 2019 and that the police are not taking effective steps to secure him.

3. It is seen that the petitioner has sent an online complaint to the police. We direct the petitioner to go in person to the second respondent/police and lodge a written complaint about the missing of his son Shankarraaj. On such complaint being given, the second respondent/police shall register a regular FIR for 'man missing' and in the printed FIR, they can even say 'thjpahy; jhkjk;' and take up investigation of the case.

Post the matter on 26.10.2021, under the caption "for reporting compliance".'

3. Pursuant to our order, on the complaint lodged by the petitioner, a case in Thirukoilur P.S.Crime No.922 of 2021 has been registered on 24.09.2021 for 'man missing' and investigation is in progress. Therefore, we direct the Deputy Superintendent of Police, Thirukoilur, to supervise the investigation in Thirukoilur P.S.Crime No.922 of 2021 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, Thirukoilur, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

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

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

gm

To

1.The Judicial Magistrate,
Thirukoilur.

2.The Chief Judicial Magistrate,
Kallakurichi.



3.The Superintendent of Police,
Kallakurichi District,
Kallakurichi.

4.The Deputy Superintendent of Police,
Thirukoilur.

5.The Inspector of Police,
Tirukoilur Police Station,
Tirukoilur, Kallakurichi District.

6.The Public Prosecutor,
High Court, Madras.

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SPD(CO)
CB(02/11/2021)