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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and

THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1624 of 2021

C.Shanthi, F/A 48 years,
W/o. late Chinnadurai

.. Petitioner

Vs.

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's son C.Suresh Kumar, Son of Chinnadurai, aged about 30 years, residing at No.32-A, Rajiv Gandhi Nagar, Perambur, Chennai - 600 012 and set him at liberty.

For Petitioner	: Mr.Ilayaraja Kandasamy
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 petitioner's son C.Suresh Kumar, aged about 30 years, residing at No.32-A, Rajiv Gandhi Nagar, Perambur, Chennai - 600 012 and set him at liberty.

2. Mr.S.Masilamani, Head Constable, J-6 Thiruvanmiyur Police Station, is present.



3. It is the case of the petitioner that her son Suresh Kumar went missing from 26.08.2021 and that the police are not taking effective steps to secure him.

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4. On instructions, learned Additional Public Prosecutor submitted that Suresh Kumar got married to Kalaivani and they were living in No.32, Rajiv Gandhi Nagar, Perambur, Chennai. While so, one Parthiban, a friend of Suresh Kumar told Kalavani on 27.08.2021 that Suresh Kumar and he along with one Anandan went to Besant Nagar beach, consumed liquor, thereafter, Anandan went away and while Suresh Kumar and he were standing in the shore, Suresh Kumar was pulled away by a huge wave. On these allegations, on a complaint given by Kalavani, a case in Thiruvanmiyur P.S.Crime No.726 of 2021 was registered on 27.08.2021 for 'man missing'. Learned Additional Public Prosecutor also submitted that Suresh Kumar was involved in a murder case in Chinthadripet P.S.Crime No.619 of 2017.

5. Learned counsel for the petitioner submitted that there could be some foul play in the death of Suresh Kumar.

6. It is not the case of the petitioner that Suresh Kumar is in the illegal custody of respondents.

Accordingly, this Habeas Corpus Petition is closed with a direction to the Assistant Commissioner of Police, Taramani, to supervise the investigation in Thiruvanmiyur P.S.Crime No.726 of 2021 and keep the petitioner informed of the developments, if any. If at all, Suresh Kumar is secured, he may be produced before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gm

To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.



2. The Commissioner of Police,
O/o. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

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3. The Assistant Commissioner of Police,
Taramani.
4. The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.
5. The Public Prosecutor,
High Court, Madras.

+1CC to Mr.Ilayaraja Kandasamy, Advocate, Sr.No.53111

H.C.P.No.1624 of 2021

KV (CO)
K.RK. (01.11.2021)