



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**H.C.P.(MD) No.97 of 2020
and
CRL MP(MD)No.3269 of 2021**

A.Deivakani

... Petitioner

Vs.

- 1.Union of India
Represented by the Principal Secretary,
Home Department,
Jaisalmer House, Mansingh Road,
New Delhi - 110 011.
- 2.State of Tamil Nadu,
Represented by the Principal Secretary,
Home Department,
Secretariat, St.George Fort.,
Chennai - 600 009.
- 3.Directorate General,
Central Reserve Police Force,
Block No.-I, C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.
- 4.The Senior Account Officer, (Pension),
Pay and Acts Office,
CRPF, Sector 23,
Rohini, New Delhi.
- 5.The Commandant,
Office of the Commandant,
5 SIG MN, CRPF,
ChandiGarh,
Punjab.



6.The Commissioner of Police,
Office of the Commissioner of Police,
Thirunelveli District.

7.The Superintendent of Police,
Office of the Superintendent of Police,
Thirunelveli District.

8.The Inspector of Police,
C-1 Palayamkottai Police Station,
Thirunelveli District.

9.The Joint Director and the Head of Zone,
Central Bureau of Investigation,
III Floor, E.V.K.,
Sampath Building,
College Road,
Chennai - 600 006.

10.The Additional Director General of Police, (CBCID),
Crime-Branch Crime Investigation,
Beach Road, Chennai

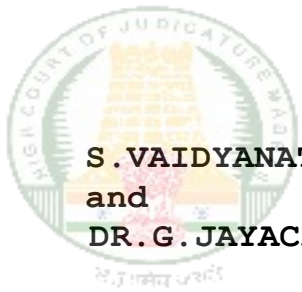
11.The Inspector of Police,
Nabikarim Police Station,
New Delhi.

... Respondents

*(R11 suo motu impleaded vide order
dated 13.09.2021.)

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to direct the respondents No.1 to 3, and 5 to 8, to produce the body or person by name N.Annadurai son of Natarajan, aged about 36 years, HC/CRY 031444088, 5-31, East Street, Manathi-Vill, Kurukattur Post, Eral Taluk, Thoothukudi District, missing from 04.07.2018 till now and set him at liberty before this Court.

For Petitioner	: Mr.R.Alagumani
For R2, R6 to R8 and R10	: Mr.S.Ravi Additional Public Prosecutor
For R1, R3 to R5 and R9	: Ms.Victoria Gowry Assistant Solicitor General



O R D E R

S.VAIDYANATHAN, J.
and
DR. G. JAYACHANDRAN, J.

This Habeas Corpus Petition has been filed praying to direct the respondents No.1 to 3, and 5 to 8, to produce the body or person, by name, N.Annadurai son of Natarajan, aged about 36 years, HC/CRY 031444088, 5-31, East Street, Manathi-Vill, Kurukattur Post, Eral Taluk, Thoothukudi District, missing from 04.07.2018 and set him at liberty.

2. Pursuant to the direction passed by this Court vide order dated 08.11.2021, the 8th respondent herein has filed a status report, wherein it is stated that the missing person was last seen at Delhi and pursuant to the complaint of man missing, the team of Palayamkottai Police Station, headed by Sub-Inspector of Police Maheshkumar and Muthuramalingam were deputed on special duty to locate the missing person Annadurai. The endeavour of the respondent has not so far yielded any result. However, the family members and the friends of the detenu are under close watch and surveillance, apart from the interaction with Delhi Police to pursue the matter and pass on information whenever they get any clue about the missing person. In the status report it is stated that so far the evidence collected disclosed that the detenu has missing from New Delhi, for which, a case in Nabikarim Police Station (New Delhi) DD.No.34 A, under man missing was registered and is under investigation.

3. As far as investigation taken by Palayamkottai Police Station in Crime No.444 of 2018 under man missing till continue. As per the instruction of the investigation officer, the team is making search with the photos of the unknown dead body in CCTNS periodically by comparing with the photo of the detenu in this case. Till date, there is no useful information are traced about the missing person. They are making enquiry with all sources and as and when they get any information, they will pursue and pass on information to the petitioner herein.

4. As far as the first respondent / Union of India is concerned, the Commandant, CRPF, Chandigarh, has submitted a communication of the Station House Officer, Nabikarim Police Station, Delhi, dated 09.11.2021, wherein the action taken so far been communicated. The said communication reveals as below:-

"In this regard, it is submitted that a case FIR No.463/2018 dated 31.12.2018 U/s.365 IPC has been registered in PS Nabi Karim vide DD No.34A dated 04.07.2018 PS Nabi Karim. The efforts were made to trace this missing person namely HC/CRY



N.Annadurai S/o.Shri I Nataraja Force
No.031444088 R/o. Village 5/14, East Street,
Manathi, Post Kurukatoor, Alwar Thirunagari,
Tehsil Tuticorin, Tamil Nadu age 36 years but he
could not be traced. The investigation is going
on but no clue come out till date."

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5. On a combined reading of the status report filed by the Tamil Nadu Police and the communication of the Nabikarim (Delhi) Police indicate that they are pursuing the man missing complaint independently and given an undertaking that as and when they get any clue, they will share with their counter part and also to the informant.

6. Recording the same, this Habeas Corpus Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

To

- 1.The Principal Secretary,
Union of India, Home Department,
Jaisalmer House, Mansingh Road,
New Delhi - 110 011.
- 2.The Principal Secretary,
State of Tamil Nadu,
Home Department, Secretariat,
St.George Fort., Chennai - 600 009.
- 3.The Directorate General,
Central Reserve Police Force,
Block No.-I, C.G.O. Complex,
Lodhi Road, New Delhi - 110 003.
- 4.The Senior Account Officer, (Pension),
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Chennai

11.The Inspector of Police,
Nabikarim Police Station,
New Delhi.

12.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.97 of 2020
17.11.2021

RS(26.11.2021) 5P 13C