



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.344 of 2021

Panchammal

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Vadkarai Police Station,
Theni District.

3.Balakrishnan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 herein to produce the body or person of the petitioner's son Thangam, son of Chinnamuthu, aged about 28 years before this Court and set him at liberty within the time stipulated by this Court.

For Petitioner : Mr.J.Vishnu

For R1 & R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This Habeas Corpus Petition has been filed seeking direction to the respondents 1 and 2 to produce the son of the petitioner viz., Thangam, S/o. Chinnamuthu, aged about 28 years, before this Court and set him at liberty.

2. The averments in the affidavit filed in support of the petition would show that her son, the detenu herein has gone with the third respondent for employment and he did not return home for

<https://hccourt.gov.in/services>.



3. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor on instructions would state that the detenu married one Ramya in the function held on 26.10.2020 and thereafter, left his parents on 18.11.2020, for which, the petitioner lodged a complaint before the second respondent, on 05.02.2021. During investigation, the detenu was secured and appeared in the police station. When he was in the police station, on 15.02.2021, the custody of the detenu was handed over to the petitioner. Another complaint has now been received by the second respondent on 23.02.2021, for missing the detenu. The learned Additional Public Prosecutor has also produced the photograph showing the petitioner with the detenu and other family members.

4. The statement of the learned Additional Public Prosecutor reveals that the detenu joined with the petitioner on 15.02.2021 and thereafter, he is said to be missing. But in the affidavit filed in support of the Habeas Corpus Petition, this fact has been deliberately suppressed by the petitioner. Therefore, we are not inclined to entertain the Habeas Corpus Petition and the same is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Vadkarai Police Station,
Theni District.

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

ORDER MADE IN

H.C.P. (MD) No.344 of 2021

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KM(15.06.2021) 2P 4C