



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.509 of 2021

Periyasamy

... Petitioner/Father of Detenue

versus

State rep. by,

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

2. The Inspector of Police,
Melavalavu Police Station,
Melavalavu,
Madurai District.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Habeas Corpus, to direct the 2nd respondent to trace out and produce the person or body of the detenu, by name, Jeyasanthosh, son of the petitioner, aged about 19 years old before this Court and set him at liberty.

For Petitioner	:	Mr.P.Santhana Krishnan
For Respondents	:	Mr.K.K.Ramakrishnan, Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the 2nd respondent to trace out the detenu, by name, Jeyasanthosh, son of the petitioner, aged about 19 years old before this Court and set him at liberty.

2. The petitioner would state that he married one Anitha about 20 years ago and they were blessed with two male children, namely, Jeyasanthosh and Jeyachandru. While so, from 18.03.2021, the detenu, Jeyasanthosh was found missing from his house and hence, he lodged a complaint with the second respondent on 20.03.2021. Though a case was registered under "men missing", no effective steps



were taken to secure his son and hence, this petition has been filed.

3. Today, the petitioner, the detenu appeared along with one Solaimathi and her mother Jothi through video conferencing. On enquiry, the detenu and the said Solaimathi stated that they know each other and they got married on 18.03.2021 at Alagarkovi. On further enquiry, the petitioner and his wife stated that even though they are not opposing the detenu to live with Solaimathi, they are not inclined to accept them.

4. It appears that the detenu went on his own volition and he is not in illegal custody of anybody.

5. Accordingly, the Habeas Corpus Petition is ordered and the detenu is set at liberty.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
Melavalavu Police Station,
Melavalavu,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.509 of 2021

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AS(11.06.2021) 3P 4C