



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) No.663 of 2021

P.Duraipandi .. Petitioner/Father of
the Detenue

Vs

1. The Superintendent of Police,
Theni, Theni District.
2. The Inspector of Police,
Devathanapatti Police Station,
Theni District.
3. S.Saranya

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Habeas Corpus, to direct the second respondent to produce the body or in person of petitioner's detenue son namely Vinoth S/o.P.Duraipandi aged about 29 years before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.C.Vakeeswaran

For respondents : Mr.S.Chandrasekar
Additional Public Prosecutor
for R1 and R2

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.C.Vakeeswaran, learned Counsel appearing for the petitioner and Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. This Habeas Corpus petition has been filed by the father of the detenue alleging that his son, aged about 29 years, the detenue has been illegally detained by the third respondent, who is a minor woman.



3. It is submitted by the learned Counsel appearing for the petitioner that though a complaint has been given to the respondents-Police, so far no case has been registered.

4. The learned Additional Public Prosecutor, on instructions, submitted that a case has been registered in Crime No.173 of 2021.

5. If that is so, let investigation be completed in the matter in accordance with law. Considering the fact that the detainee is 29 years old, it can never be a case of person missing, but probably a case where, he voluntarily left along with the third respondent. The respondents-Police are directed to investigate the complaint and do the needful in the matter.

6. Hence, we find that there is no unlawful detention. Accordingly, the Habeas Corpus petition is dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

pkn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Superintendent of Police,
Theni, Theni District.
2. The Inspector of Police,
devathanapatti Police Station,
Theni District.

H.C.P. (MD) No.663 of 2021
29.04.2021

KM(26.05.2021) 2P 3C

<https://hcservices.ecourts.gov.in/hcservices/>