



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU
H.C.P.(MD)No.1355 of 2021**

M.Baskaran ... Petitioner / Deetenu's Brother

VS.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Tamil Sangam Road,
Thilagar Thidal.
Madurai.

3.The Inspector of Police,
B6-Police Station,
Melaponnagaram Main Road,
Madurai.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 to secure and produce the body or person of the detenu namely M.Prabhakaran (Petitioner's younger brother) S/o.Muthuraman, aged about 46 years and produce before this court and set him at liberty.

For Petitioner : Mr.M.Yesudasan

For Respondents : Mr.S. Ravi

Additional Public Prosecutor

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's brother, by name, M.Prabhakaran, aged about 46 years, found missing, the petitioner has filed a complaint before the 3rd respondent Police. Since no action has been taken, the present Habeas Corpus Petition has been filed.

2. Mr.S.Ravi, the learned Additional Public Prosecutor appearing for the State, on instructions, submitted that the detenu from various persons and failed to repay the loan.



When the lender demanded money, the detenu absconded along with his family members. Now, his whereabouts is not known. The respondent police are continuing the investigation.

3. Considering the above submissions, the 3rd respondent police is directed to proceed with the investigation, secure the detenu as early as possible and produce before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders regarding the custody of the detenu, in accordance with law.

4. With the above directions, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Cs-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mpk

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 Commissioner of Police,
Madurai City, Madurai.

2.The Assistant Commissioner of Police,
Tamil Sangam Road,
Thilagar Thidal, Madurai.

3.The Inspector of Police,
B6-Police station,
Melaponnagaram Main Road, Madurai.

4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

H.C.P. (MD) No.1355 of 2021
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DJ(CO)

KB(20.10.2021) 2P 5C