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H.C.P.(MD) No.1039 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P. (MD) No.1039 of 2019

P.Prema Selvi

... Petitioner / Mother of the
Detenu

Vs.

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

2.The State rep. by,
The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents herein to produce the body or person of the detenu/the petitioner's minor son, namely, Arunsunai Prabhu, aged about 17 years, S/o.Palani Kumar, who is the son of the petitioner before this Court and set him at liberty.

For Petitioner : Mr.S.T.Sasidharan Tamilkani

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

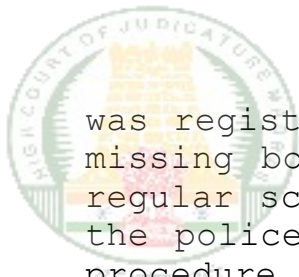
O R D E R

S.VAIDYANATHAN, J.

and

DR.G. JAYACHANDRAN, J.

This Habeas Corpus Petition has been filed by the mother of the missing boy, namely, Arunsunai Prabhu, aged about 17 years at the time of missing. The facts of the case from the pleadings indicates that Arunsunai Prabhu, while studying 12th Standard in Nadar Committee Higher Secondary School, Ramanathapuram, found missing from 22.08.2019. Since he did not return home, the petitioner herein, being his mother has given a complaint to the Vasudevanallur Police Station and a case in Crime No.265 of 2019



was registered under the head 'boy missing'. It appears that the missing boy was mentally challenged, but was asked to attend the regular school by his parent. Since the receipt of the complaint, the police has taken necessary steps as per the standard of the procedure for tracking missing children, inspite of their best effort and constituting a special team headed by a Special Sub Inspector of Police and a Head Constable, they were not able to trace the boy till date.

2.As directed by this Court, both the respondents have filed status report indicating the efforts taken to trace the boy and the follow up action pursuant to the directions given by this Court.

3.This Court is of the view that for the past two years, the police is in search of the boy, but could not find him and the pendency of Habeas Corpus Petition is not going to help any further. Hence, this Habeas Corpus Petition is closed with a direction to the respondent police to continue the search of the missing boy and as and when they get any clue about the whereabouts of the boy, the same may be informed to the petitioner herein and proceed further in accordance with law.

4.With this observation, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.

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



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

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RK/PM(25/11/2021) 3P 4C