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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.427 of 2022

M.Ravi

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
N-4, Fishing Harbour Police Station,
Chennai.

3.The Inspector of Police,
N-2, Kasimedu Police Station,
Kasimedu, Royapuram,
Chennai - 600 013.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1st to 3rd respondents to produce the body of the petitioner's son R.Ashok, aged about 24 years, before this Court and set him at liberty.

For Petitioner : Mr.D.Sugumar

For Respondents : Mr.R.Muniyapparaj,
Addl. Public Prosecutor



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ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the respondents 1 to 3 to produce the body of the petitioner's son R.Ashok, aged about 24 years, before this Court and set him at liberty.

2.It is the case of the petitioner that his son Ashok left the house on 17.02.2021 around 11.00 p.m. and did not return. According to the petitioner, his son used to go for fishing in the sea off and on. The main grievance of the petitioner is that the police are not entertaining his complaint and asking him to go from one police station to other.

3.Today, when the matter was taken up for hearing, Mr.B.Boobalan (Mobile No.98653 23765), Sub-Inspector of Police, N-4, Fishing Harbour Police Station, New Washermenpet, Chennai, is present.

4.On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Fishing Harbour Police Station Crime No.45 of 2022 has been registered on 21.03.2022 for 'man missing' and during the course of investigation, it appeared that the petitioner's son had gone missing even prior to 17.02.2021.

5.It is not the case of the petitioner that his son Ashok is in the illegal custody of the respondents herein.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Inspector of Police, N-4, Fishing Harbour Police Station, Chennai, to proceed with the investigation in Crime No.45 of 2022 and keep the petitioner informed of the developments, if any. The Assistant Commissioner of Police, Royapuram Sub-Division, may supervise the investigation in Fishing Harbour Police Station Crime No.45 of 2022. As and when the detenu Ashok, aged about 24 years, is



secured, he may be produced before the XVI Metropolitan Magistrate, George Town, Chennai, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

nsd

To

- 1.The XVI Metropolitan Magistrate,
George Town, Chennai.
- 2.The Assistant Commissioner of Police,
Royapuram Sub-Division, Chennai.
- 3.The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road,
Vepery, Chennai - 600 007.
- 4.The Inspector of Police,
N-4, Fishing Harbour Police Station,
Chennai.
- 5.The Inspector of Police,
N-2, Kasimedu Police Station,
Kasimedu, Royapuram,
Chennai - 600 013.
- 6.The Public Prosecutor,
High Court, Madras.

H.C.P.No.427 of 2022

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