



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2022

Coram

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

H.C.P.No.571 of 2022

Surendra @ Sameer K

...Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai Corporation,
Chennai.

2.The Assistant Commissioner of Police,
Royapettah, Chennai.

3.The Inspector of Police,
D-3, ICE House Police Station,
Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 3rd respondent to produce before this Court the detenu, petitioner's father Krishnamoorthy, S/o.K.Kuppaiah, aged about 62 years, set him at liberty.

For Petitioner : Mr.S.Senthilvel
for Mr.C.Balaji

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

ORDER

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

This habeas corpus petition has been filed seeking a direction to the 3rd respondent to produce petitioner's father Krishnamoorthy, S/o.K.Kuppaiah, aged about 62 years, before this Court and set him at liberty.



2. It is the case of the petitioner that his father Krishnamoorthy went to buy liquor on 08.10.2019 and thereafter, his whereabouts are not known. It is the grievance of the petitioner that despite his complaint, the police are not taking effective steps to secure his father.

3. Today, J.Shankar (Mobile No.94981 13764), Grade-I 44509, D-3, ICE House Police Station, Chennai, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in ICE House Police Station Crime No.335 of 2019 was registered on 13.10.2019 for 'man missing' and during the course of investigation, it came to light that Krishnamoorthy had gone missing ten years earlier and not on 08.10.2019, as alleged by the petitioner.

5. The fact remains that Krishnamoorthy is not in the illegal custody of the respondents herein and therefore, no writ of habeas corpus can be issued.

Hence, this habeas corpus petition stands closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nsd
To

- 1.The Commissioner of Police,
Greater Chennai Corporation,
Chennai.
- 2.The Assistant Commissioner of Police,
Royapettah, Chennai.
- 3.The Inspector of Police,
D-3, ICE House Police Station,
Chennai.



4.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C.Balaji, Advocate sr 25148.

H.C.P.No.571 of 2022

MT (CO)
SP (27/04/2022)