



H.C.P.No.1231 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2022

Coram

The Honourable Mr. Justice **S.VAIDYANATHAN**
and
The Honourable Mr. Justice **A.D.JAGADISH CHANDIRA**

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K.Ranganathan

.. Petitioner

Vs.

1.The District Superintendent of Police,
District Police Station,
Ariyalur, Ariyalur District.

2.The Inspector of Police,
Sendurai Police Station,
Sendurai,
Ariyalur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's son Prabhu, aged about 31 years, son of K.Ranganathan, before this Court and set him at liberty.

For Petitioner : Ms.B.N.Sivagama Sundari

For Respondents : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor



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ORDER

S.VAIDYANATHAN, J.
AND
A.D.JAGADISH CHANDIRA, J.

Seeking a direction to the respondents to produce the petitioner's son Prabhu, aged about 31 years, son of K.Ranganathan, before this Court and to set him at liberty, the present habeas corpus petition has been filed.

2. The petitioner is the father of Prabhu, aged about 31 years, who is said to be missing from 08.06.2019, for which, a complaint has been given on 02.02.2022 by Registered Post. According to the petitioner, there is a dispute between his son and daughter-in-law. Since no steps have been taken by the respondents to secure Prabhu, the petitioner has preferred the present habeas corpus petition.

3. The learned Additional Public Prosecutor submitted that on the complaint dated 02.04.2022 given by Sanghavi, wife of the detenu, a case has been registered in Crime No.63 of 2022 for 'man missing'.



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4. Heard Ms.B.N.Sivagama Sundari, learned counsel for the petitioner and Mr.M.Babu Muthumeeran, learned Additional Public Prosecutor for the respondents.

5. From the pleadings, it is very clear that there is a dispute among the family members and in order to wriggle out his liability in payment of amount, it appears that the petitioner has filed the present habeas corpus petition.

6. However, we cannot express any view with regard to the merits of the matter. Since a case has been registered by the police on the complaint given by the wife of the detenu, the complaint dated 02.02.2022 given by the petitioner may be taken as a statement and the police may investigate and bring the issue to a logical conclusion.

7. In such view of the matter, we are not inclined to grant any relief as sought by the petitioner except the above direction. The petitioner shall participate in the enquiry conducted by the police in Crime No.63 of 2022 and appear before the police as and when called for.

