



WEB COPY



HCP No.1088 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN**

H.C.P.No.1088 of 2022

D.Thirumalai
S/o.Duraipandi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent,
Tiruvallur.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Kummidipoondy, Tiruvallur District.

3.The Inspector of Police,
F2-SIPCOT Police Station,
Tiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the third respondent to produce the detenu, namely, Marimuthu s/o.Duraipandi, aged about 26 years, before this Court and set him at liberty.



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For Petitioner : Mr.S.Thirukkumaran
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the third respondent to produce the detenu, namely, Marimuthu s/o.Duraipandi, aged about 26 years, before this Court and set him at liberty.

2. It is the case of the petitioner that his brother Marimuthu went missing on 28.05.2022 and that police are not taking effective steps to secure him. On these allegations, the present petition has been filed.

3. Today, Mr.G.Venkatesan, Special Sub-Inspector of Police, F-2 SIPCOT Police Station [Mobile No.94981 47788], is present.

4. On instructions, learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in SIPCOT P.S. Crime No.96 of 2022 was registered on 03.06.2022 for "man missing". During the



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course of investigation, the police tracked the call detail records of Marimuthu, which showed that he was somewhere around Rajapalayam.

The police interacted with two suspects by name, Esakiraja @ Rahulraj and his wife Ilavarasi and based on their disclosure, the dead body of Marimuthu was discovered and was handed over to the petitioner. Thereafter, the case in SIPCOT P.S. Crime No.96 of 2022 was altered to one u/s.147, 302 and 201 IPC.

5. Learned counsel for the petitioner also submitted that the dead body of Marimuthu was handed over to the petitioner.

Recording the same, this Habeas Corpus Petition is closed.

[PNP, J.] [TKR, J.]
28.10.2022

Index: Yes/No
gm



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P.N.PRAKASH, J.
and
RMT. TEEKAA RAMAN, J.

gm

To

- 1.The Superintendent of Police,
Office of the Superintendent,
Tiruvallur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Kummidipoondy, Tiruvallur District.
- 3.The Inspector of Police,
F2-SIPCOT Police Station,
Tiruvallur District.
- 4.The Public Prosecutor,
High Court, Madras.

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