



H.C.P.No.1964 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.10.2022

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

H.C.P.No.1964 of 2022

P.Ezhumalai

.. Petitioner

Vs.

1.State rep. by
The Superintendent of Police
Villupuram District 605 602

2.The Inspector of Police
Thiruvannainallur Police Station
Villupuram District 607 203

3.Raja

4.Arunkumar

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the 2nd respondent to produce the body of the petitioner's son namely E.Thivakar, aged about 26 years, before this Court from the illegal custody of the respondents 3 and 4 and set him at liberty.



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For Petitioner : Mr.K.Hemarajan
For R1 and R2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

It is the case of the petitioner that his son *viz.*, E.Thivakar, aged about 26 years, went missing on 17.09.2022 and his whereabouts are not known; despite lodging of a complaint, the police are not taking effective steps to secure him and hence, the present habeas corpus petition seeking a direction to the 2nd respondent to produce him before this Court and set him at liberty.

2. Today, Mr.Ramalingam, Special Sub-Inspector of Police, Thiruvannainallur Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that Thivakar is married to one Sharmila and through the wedlock, he has one child; while so, Diwakar was found missing on 17.09.2022; in this regard, on a complaint given by the petitioner, a case in Thiruvannainallur



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P.S. Crime No.544 of 2022 has been registered on 18.09.2022 for “man-missing” and investigation is in progress.

4. Even according to the petitioner, Thivakar went for work on 16.09.2022 and returned home that night. However, he was found missing on 17.09.2022.

5. In view of the above, we direct the Deputy Superintendent of Police, Villupuram Sub-Division to supervise the investigation in Thiruvannainallur P.S. Crime No.544 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu viz., Thivakar is secured, he shall be produced before the Judicial Magistrate No.II, Udumalpet, under due intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of the detenu.

With the above directions, this habeas corpus petition stands closed.

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[P.N.P., J.] [TKR, J.]
10.10.2022



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P.N.PRAKASH, J.

AND

RMT.TEEKAA RAMAN, J.

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To

1.The Judicial Magistrate No.II
Udumalpet

2.The Superintendent of Police
Villupuram District 605 602

3.The Deputy Superintendent of Police
Villupuram Sub-Division

4.The Inspector of Police
Thiruvannainallur Police Station
Villupuram District 607 203

5.The Public Prosecutor
High Court, Madras

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