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H.C.P.No.2175 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2175 of 2022

T.Thenmozhi

.. Petitioner

Vs

1.The Commissioner of Police,
Tambaram City,
42/1, Medavakkam Main Road,
Sholinganallur, Chennai – 600 119.

2.The Inspector of Police, (Crime),
S-6, Sankar Nagar Police Station,
No.16, 22nd Street, Pammal,
Chennai – 600 075.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the body and person of the petitioner's missing son T.Vinoth Kumar, aged about 32 years, before this Court and set him at liberty.



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For Petitioner : Mr.K.M.Ramesh

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

ORDER

(Made by *P.N.PRAKASH, J.*)

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce her son T.Vinoth Kumar, aged about 32 years, before this Court and set him at liberty.

2. It is the case of the petitioner her son Vinoth Kumar, aged about 32 years, went missing some time in the year 2018 and that the police are not taking effective steps to secure him.

3. Today, S.Mageshwari (Mobile No.94450 28912), Special Sub-Inspector of Police, Shankar Nagar Police Station, Chennai, is present.



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4. Even according to the petitioner, on the complaint given by her son Chandrasekar, a case in Shankar Nagar Police Station Crime No.1039 of 2018 was registered on 21.12.2018 for “man-missing”.

5. The learned counsel for the petitioner submitted that the police can use aadhaar card number for tracing the petitioner's son.

6. It is not the case of the petitioner that her son is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus. That apart, the petitioner's son went missing in the year 2018 and now we are in the year 2022. Moreover, this Court cannot direct the police to investigate a case in a particular manner, as the same is beyond the scope of judicial review and would amount to encroaching into the domain of police investigation.

7. Be that as it may, we direct the Assistant Commissioner of Police, Pallavaram Range, Chennai, to supervise the investigation in Crime No.1039 of 2018 that is being conducted by the Inspector of Police, Shankar



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Nagar Police Station, Chennai and keep the petitioner informed of the developments, if any. As and when the detenu Vinoth Kumar, aged about 32 years, is secured, he shall be produced before the Judicial Magistrate Court No.II, Tambaram, Chennai, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

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

(P.N.P., J.) (TKRJ)
03.11.2022

nsd



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To

- 1.The Judicial Magistrate No.II,
Tambaram, Chennai.
- 2.The Commissioner of Police,
Tambaram City,
42/1, Medavakkam Main Road,
Sholinganallur, Chennai – 600 119.
- 3.The Assistant Commissioner of Police,
Pallavaram Range, Chennai.
- 4.The Inspector of Police, (Crime),
S-6, Sankar Nagar Police Station,
No.16, 22nd Street, Pammal,
Chennai – 600 075.
- 5.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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

nsd

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