



WEB COPY



H.C.P.No.2433 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2022

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

H.C.P.No.2433 of 2022

C.Sasikumar

.. Petitioner

Vs.

1.The Superintendent of Police
Nagapattinam
Nagapattinam District

2.The Deputy Superintendent of Police
Vedaranyam & Taluk
Vedaranyam Circle
Nagapattinam District

3.The Inspector of Police
Vedaranyam Police Station
Vedaranyam & Taluk
Nagapattinam District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying
to issue a WRIT OF HABEAS CORPUS directing the respondents to



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produce the father of the petitioner namely N.Chelladurai, aged about 72 years, before this Court and set him at liberty.

For Petitioner : Mr.V.Kasinatha Bharathi
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

It is the case of the petitioner that his father Chelladurai, aged about 72 years, Sub Inspector of Police (Retd.), went missing on 09.11.2022; he is unable to trace him; 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 respondents to produce him before this Court and set him at liberty.

2. Today, Mr.G.Kaliyaperumal, Sub Inspector of Police, Vedaranyam Police Station, is present before this Court.



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3. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Vedaranyam P.S. Crime No.356 of 2022 has been registered on 28.11.2022 for 'man missing' and during the course of investigation, it came to light that Chelladurai had a quarrel with his wife and left home saying that he is going to his brother's house at Mayiladuthurai, but, did not reach there.

4. In such view of the matter, it cannot be stated that Chelladurai is in the illegal custody of the respondents herein, for issuance of a writ of habeas corpus. However, we direct the Deputy Superintendent of Police, Vedaranyam, to supervise the investigation in Vedaranyam P.S. Crime No.356 of 2022 and keep the petitioner informed of the developments, if any. As and when Chelladurai is secured, he shall be produced before the District Munsif-cum-Judicial Magistrate, Vedaranyam, under due intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of Chelladurai.

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

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[P.N.P., J.] [T K R, J.]
29.11.2022



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P.N.PRAKASH, J.

AND

RMT.TEEKAA RAMAN, J.

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To

1.The District Munsif-cum-Judicial Magistrate
Vedaranyam

2.The Superintendent of Police
Nagapattinam
Nagapattinam District

3.The Deputy Superintendent of Police
Vedaranyam & Taluk
Vedaranyam Circle
Nagapattinam District

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4.The Inspector of Police
Vedaranyam Police Station
Vedaranyam & Taluk
Nagapattinam District

5.The Public Prosecutor
High Court, Madras

29.11.2022