



WEB COPY



HCP No.2628 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

H.C.P.No.2628 of 2022

Mrs.R.Santha
W/o.Mr.Rajendran

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur,
Thiruvarur District.

2.The State Rep. by
Inspector of Police,
Koradacherry Police Station,
Thiruvarur District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus directing the respondents to produce
petitioner's son Vignesh @ Appu male aged 29 years before this Court and set him
at liberty.



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For Petitioner : Mr.S.Sekar
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 respondents to produce the petitioner's son Vignesh @ Appu, aged 29 years, before this Court and set him at liberty.

2. The case of the petitioner is that her son Vignesh @ Appu, aged 29 years, went missing from 25.08.2022 and that police are not taking effective steps to secure him.

3.Today, Mr.S.Rajaraman, Sub Inspector of Police, Koradacherry Police Station [Mobile No.94981 63439], is present.

4.On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Koradacherry Police Station Crime No.264 of 2022 has been registered for 'man missing' on 15.10.2022 and



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during the course of preliminary investigation, it came to light that Vignesh @ Appu got married to one Daisy Rani, who is now eight months pregnant. Simultaneously, Vignesh @ Appu appears to have developed intimacy with one Thaspana and had eloped with her. In such view of the matter, it cannot be stated that Vignesh @ Appu is in the illegal custody of the respondents for issuance of a writ of habeas corpus.

Accordingly, this Habeas Corpus Petition is closed with a direction to the Deputy Superintendent of Police, Thiruvarur Sub-Division, to supervise the investigation in Koradacherry Police Station Crime No.264 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Vignesh @ Appu, aged about 29 years, is secured, he shall be produced before the Judicial Magistrate, Thiruvarur District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

[P.N.P., J] [N.A.V., J]
20.12.2022

Index: Yes/No
gm/ssr



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P.N.PRAKASH, J
and
N.ANAND VENKATESH, J

gm/ssr

To

- 1.The Judicial Magistrate,
Thiruvarur District
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur, Thiruvarur District.
- 3.The Deputy Superintendent of Police,
Thiruvarur, Thiruvarur District.
- 4.The Inspector of Police,
Koradacherry Police Station,
Thiruvarur District.
- 5.The Public Prosecutor,
High Court, Madras.

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20.12.2022