



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P.[MD]No.283 of 2022

WEB COPY

A.Vargheese

: Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari,
Kanyakumari District.

2.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to secure the detenu namely V.Arul Bright son of A.Vargheese, aged 32 years and produce the person or body of the detenu before this Court and set him at liberty.

For Petitioner : Mr.R.J.Karthick

For Respondents 1&2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

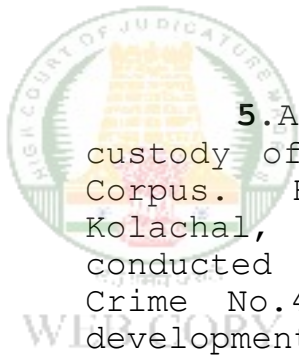
[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that his son Arul Bright, aged about 32 years went missing from 11.11.2021 and that the police are not taking effective steps to secure him. Hence, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

2.Heard Mr.R.J.Karthick, learned Counsel appearing for the writ petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents.

3.Today, Ms.K.Sobhana Raj (Mobile No.9498197223] Sub-Inspector of Police, Karungal Police Station, Kanyakumari District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Karungal Police Station in Crime No.427 of 2021 has been registered on 13.11.2021 for 'man missing' and during the course of investigation, it came to light that on account of some financial troubles, the petitioner's son has gone in hiding.



5. Admittedly, the petitioner's son is not in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Kolachal, Kanyakumari District, to supervise the investigation conducted by the Inspector of Police, Karungal Police Station in Crime No.427 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu Arul Bright, aged about 32 years, is secured, he shall be produced before the learned Judicial Magistrate, Eraniel, Kanyakumari District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

6. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The Judicial Magistrate,
Eraniel, Kanyakumari District.
2. The Superintendent of Police,
Kanyakumari,
Kanyakumari District.
3. The Deputy Superintendent of Police,
Kolachal,
Kanyakumari District.
4. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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IM(CO)

KB(21.06.2022) 2P 6C