



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) No.858 of 2022

Muthulakshmi

... Petitioner

Vs.

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

2. The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents to produce the petitioner's son, namely, Kalimuthu, aged about 27 years old or his body before this Court and set him at liberty based on the petitioner's complaint dated 24.05.2022.

For Petitioner : Mr.S.Sivaprakash

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition has been filed seeking to direct the respondents to produce the petitioner's son, namely, Kalimuthu, aged about 27 years, before this Court and set him at liberty.

2. It is the case of the petitioner that her son, Kalimuthu, aged about 27 years, went missing from 15.05.2022 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.



3. Today, Mr.Guru Venkadaraj (Mobile No.9498198131), Inspector of Police, Nilakottai Police Station, Dindigul District, is present before this Court. On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Nilakottai Police Station Crime No.128 of 2022 has been registered on 25.05.2022 for 'man missing' and during the course of investigation, the tower location shows that Kalimuthu is available somewhere in Karur and the Police are taking effective steps to secure him.

4. In such view of the matter, it cannot be stated that Kalimuthu is in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Nilakottai, to supervise the investigation in Nilakottai Police Station Crime No.128 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Kalimuthu, aged about 27 years, is secured, he shall be produced before the Judicial Magistrate Court, Nilakottai, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

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

Sd/-

Assistant Registrar(AD-I)

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/ /2022

Sub Assistant Registrar(CS)

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To :

1. The Judicial Magistrate,
Nilakottai,
2. The Deputy Superintendent of Police,
Nilakottai,
3. The Superintendent of Police,
Dindigul District,
Dindigul.



4. The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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nsn(CO)
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