



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.910 of 2022

N.Kuppu

... Petitioner/Father of detenu
Vs.

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

2. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

3. Shanthi
4. Parthiban
5. Mohan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 herein to produce the body or person of the detenu namely, Pitchaikani, aged about 49 years, son of the petitioner herein, before this Court, who is under the illegal custody of the respondents 3 to 5 herein and set him at liberty.

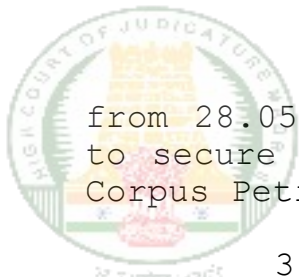
For Petitioner : Mr.K.R.Laxman
For Respondents 1 & 2 : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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 person or body of the petitioner's son, namely, Pitchaikani, aged about 49 years, before this Court and set him at liberty.

2. It is the case of the petitioner that his son, Pitchaikani, aged about 49 years, who was working in Qatar came to India on 20.05.2022 and thereafter, his whereabouts are not known



from 28.05.2022 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.Solomon Appadurai (Mobile No.8300015745), Special Sub Inspector of Police, Devipattinam Police Station, Ramanathapuram District, is present before this Court. On instructions, learned Additional Public Prosecutor submitted that on the complaint given by Shanthi, W/o.Pitchaikani, third respondent herein, a case in Devipattinam Police Station Crime No.118 of 2022 has been registered on 30.05.2022 for 'man missing' and during the course of investigation, it came to light that there was a quarrel between Pitchaikani and his wife, on account of which, he has left the home without intimating anyone.

4. In such view of the matter, it cannot be stated that Pitchaikani, is in the illegal custody of respondents 3 to 5 herein for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Ramanathapuram Town, to supervise the investigation in Devipattinam Police Station Crime No.118 of 2022 and keep the petitioner as well Shanthi informed of the developments, if any. As and when the detenu Pitchaikani, aged about 49 years, is secured, he shall be produced before the Judicial Magistrate Court No.I, Ramanathapuram, under intimation to the petitioner as well Shanthi. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

5. Hence, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To :

1. The Judicial Magistrate No.I,
Ramanathapuram.
2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



3. The Deputy Superintendent of Police,
Ramanathapuram Town.

4. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

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

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-24758[F] dated 09/06/2022)

H.C.P. (MD) No.910 of 2022

09.06.2022

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