



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.[MD]No.947 of 2022

WEB COPY

Raman

: Petitioner

Vs.

1.The Commissioner of Police,
Trichy,
Trichy City.

2.The Assistant Commissioner,
Trichy,
Trichy City.

3.The Inspector of Police,
Thillainagar Police Station,
Trichy District.

4.Sankar

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 2947 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the petitioner's son, the detenu namely Selvaraj, S/o.Raman, aged 29 years before this Court and set him at liberty forthwith.

For Petitioner : Mr.M.Jagadeesh Pandian
for Mr.Karunanithi

For Respondents 1 to 3 : 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 Selvaraj, aged about 29 years went missing from 12.03.2022 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.

2.Heard Mr.M.Jagadeesh Pandian, for Mr.Karunanithi, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 to 3.



3.It is seen that Selvaraj got married to Jayalalitha and after marriage, the couple were living separately in Thillainagar, Trichy, from where Selvaraj went missing. In this connection, on the complaint given by Jayalalitha, a case in Thillainagar Police Station in Crime No.253 of 2022 for 'man missing' has been registered and investigation is in progress.

4.In such view of the matter, it cannot be stated that Selvaraj is in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Assistant Commissioner of Police, Thillainagar, Trichy District, to supervise the investigation that is being conducted by the Inspector of Police, Thillainagar Police Station in Crime No.253 of 2022 and keep the petitioner as well Jayalalitha informed of the developments, if any. As and when the detenu Selvaraj, aged about 29 years, is secured, he shall be produced before the learned Judicial Magistrate IV, Trichy, under intimation to the petitioner as well Jayalalitha. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

5.Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

MR

To

- 1.The Judicial Magistrate IV,
Trichy.
- 2.The Commissioner of Police,
Trichy,
Trichy City.
- 3.The Assistant Commissioner,
Trichy,
Trichy City.
- 4.The Assistant Commissioner,
Thillainagar,
Trichy.



5.The Inspector of Police,
Thillainagar Police Station,
Trichy District.

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

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