



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.943 of 2022

WEB COPY

R.Karuppaiah : Petitioner/
Father of Detenue

Vs.

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

2.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the first respondent to direct the second respondent to produce the person or body of the petitioner's son Manikandan S/o. Karuppaiah before this Court and set him at liberty.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : 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 Manikandan, aged about 26 years went missing from 21.06.2021 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.A.Prasanna Rajadurai, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents.

3.On instructions, learned Additional Public Prosecutor submitted that Manikandan was employed in a firm in Neelankarai, Chennai and went missing from there. However, on a complaint given by the petitioner, a case in Ganesh Nagar Police Station, Pudukkottai in Crime No.149 of 2022 has been registered on 11.05.2022 for 'man missing'

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4. In such view of the matter, it cannot be stated that Manikandan 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, Pudukkottai Town, to supervise the investigation that is being conducted by the Inspector of Police, Ganesh Nagar Police Station in Crime No.149 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Manikandan, aged about 26 years, is secured, he shall be produced before the learned Judicial Magistrate I, Pudukkottai 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.

5. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/06/2022

Sub Assistant Registrar (CS)

MR

To

1. The Judicial Magistrate I,
Pudukkottai District.
2. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
3. The Deputy Superintendent of Police,
Pudukkottai Town,
Pudukkottai District.
4. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.NA. PALANIYANDI, Advocate (SR-26622[F] dated 17/06/2022)

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17.06.2022

MGJ(28.06.2022) 2P 7C

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