



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.[MD]No.990 of 2022

Annapparaj

: Petitioner

Vs.

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

2.The Inspector of Police,
Nilakottai Police Station,
Dindigul 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 produce the petitioner's son namely A.R.Kumaravel aged about 27 years old or his body before this Court and set him at liberty based on FIR No.127 of 2022 dated 20.05.2022 on the file of respondent police.

For Petitioner : Mr.S.Sivaprakash

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **R.HEMALATHA, J.**]

It is the case of the petitioner that his son A.R.Kumaravel aged about 27 years went missing from 16.05.2022 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.

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

3.Today, Mr.Balamuthaiya [Mobile No.8248530131] Sub-Inspector of Police, Nilakottai Police Station, Dindigul 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 Nilakottai Police Station, Dindigul District in Crime No.127 of 2022 has been registered on 20.05.2022 for 'man missing' and during the investigation it came to light that Kumaravel was in love with



one married lady Chithra and has eloped with her.

5. In such view of the matter, it cannot be stated that Kumaravel 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, Nilakkottai, Dindigul District, to supervise the investigation conducted by the Inspector of Police, Nilakkottai Police Station, Dindigul District in Crime No.127 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Raman, aged about 46 years, is secured, he shall be produced before the learned Judicial Magistrate, Nilakkottai, Dindigul 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 (CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

MR

To:

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

H.C.P. [MD] No. 990 of 2022

24.06.2022

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