



H.C.P.(MD)No.1189 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.(MD)No.1189 of 2022

S.Aayisha

: Petitioner

Vs.

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

2.The Inspector of Police,
Tirunagar Police Station,
Tirunagar,
Madurai City.

: 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 secure the detenu namely Vigneshwaran, aged about 29 years son of T.Sivasamy and produce



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the person or body of the detenu before this Court and set him at liberty.

For Petitioner : Mr.K.Srinivasaragavan

For Respondents 1&2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

[Made by R.HEMALATHA, J.]

It is the case of the petitioner that his son Vigneshwaran, aged about 29 years went missing from 10.02.2021 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.K.Srinivasaragavan, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 and 2.

3.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Tirunagar Police Station, in Crime No.246 of 2022 has been



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registered on 19.07.2022 for 'man missing' and the investigation is in progress.

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4.Since it is not the case of the petitioner that Vigneshwaran is in the illegal custody of the respondents herein, no Writ of Habeas Corpus can be issued. However, we direct the Assistant Commissioner of Police, Thirupparankundram, Madurai District to supervise the investigation that is being conducted by the Inspector of Police, Tirunagar Police Station in Crime No.246 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Vigneshwaran, aged about 29 years, is secured, he shall be produced before the learned Judicial Magistrate VI, Madurai, 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.

[P.N.P.J.] & [R.H.,J.]

22.07.2022

Index : Yes/No
Internet : Yes/No
MR



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To

1.The Judicial Magistrate VI,
Madurai.

2.The Commissioner of Police,
Madurai City,
Madurai.

3.The Assistant Commissioner of Police,
Thirupparankundram,
Madurai District.

4.The Inspector of Police,
Tirunagar Police Station,
Tirunagar,
Madurai City.

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



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P.N.PRAKASH, J.
and
R.HEMALATHA, J.

MR

ORDER MADE IN
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22.07.2022