



H.C.P.(MD) No.1333 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD) No.1333 of 2022

Kalavathi

... Petitioner

-VS-

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

2.The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the person or body of the petitioner's son namely Suren S/o.Ganeshan, aged about 21 years and produce before this Court and set him at liberty.



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For Petitioner : Mr.B.Arun

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the respondents to produce the body or person of the petitioner's son, namely, Suren, son of Ganeshan, aged about 21 years, before this Court and set him at liberty.

2. It is the case of the petitioner that her son Suren, aged about 21 years, went missing from 25.07.2022 and that the police are not taking effective steps to secure him. Hence, the present habeas corpus petition with the above prayer.

3. Today, Mr.K.Gnanasekaran, Special Sub-Inspector of Police, Koodal Pudur Police Station, is present before this Court.

4. On instructions, learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Koodal Pudur Police Station Crime No.288 of 2022 has been registered on 26.07.2022 for 'man-missing' and



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WEB COPY investigation is in progress.

5. In such view of the matter, it cannot be stated that the petitioner's son is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus.

6. Hence, this habeas corpus petition stands closed. However, we direct the Assistant Commissioner of Police, Sellur Range, to supervise the investigation in Koodal Pudur Police Station Crime No.288 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Suren, aged about 21 years, is secured, he shall be produced before the Judicial Magistrate Court No.VI, Madurai, under intimation to the petitioner and learned Judicial Magistrate shall pass appropriate orders with regard to custody in accordance with law.

[P.N.P., J.] [R.V., J.]
12.08.2022

Index : Yes / No
Internet : Yes / No
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P.N.PRAKASH, J.
and
R.VIJAYAKUMAR, J.

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To:

- 1.The Commissioner of Police,
Commissioner of Police,
Madurai.
- 2.The Assistant Commissioner of Police,
Sellur Range, Madurai.
- 3.The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
- 4.The Judicial Magistrate No.IV,
Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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