



H.C.P.(MD) No.1328 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**

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Ramasamy

... Petitioner

-VS-

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

2.The Inspector of Police,
Thogaimalai Police Station,
Karur District.

3.Senthilkumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to produce the person or body of the petitioner's son namely Ramar S/o.Ramasamy, aged about 19 years and produce before this Court and set him at liberty.



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For Petitioner : Mr.V.Karuna

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 second respondent to produce the body or person of the petitioner's son, namely, Ramar, aged about 19 years, before this Court and set him at liberty.

2. It is the case of the petitioner that his son Ramar, aged about 19 years, went missing from 20.07.2022 and that the police are not taking effective steps to secure him. It is the further allegation of the petitioner that Ramar is in the illegal custody of the third respondent. Hence, the present habeas corpus petition with the above prayer.

3. On instructions, learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Thogaimalai Police Station Crime No. 275 of 2022 has been registered on 29.07.2022 for 'man-missing' and during the



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course of investigation, it came to the light that Ramar was in love with one Sheela Sri, daughter of the third respondent and has eloped with her.

4. 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.

5. Hence, this habeas corpus petition stands closed. However, we direct the Deputy Superintendent of Police, Thogaimalai Subdivision, to supervise the investigation in Thogaimalai Police Station Crime No.275 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Ramar, aged about 19 years, is secured, he shall be produced before the Judicial Magistrate Court No.1, Kulithalai, Karur, 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 Superintendent of Police,
Karur District, Karur.
- 2.The Inspector of Police,
Thogaimalai Police Station,
Karur District.
- 3.The Deputy Superintendent of Police,
Thogaimalai Subdivision, Karur.
- 4.The Judicial Magistrate No.1,
Kulithalai, Karur.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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