



WEB COPY

H.C.P.(MD) No.1443 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1443 of 2021

G.Vellaiammal

... Petitioner/

Mother of the Detenue

.Vs.

1.State Represented by
The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

3.Muniyasamy

4.The Manager,
Sagar Grandhi Exports(P) Ltd.,
No.82, 49, Chintharipettai,
Chennai-600 002.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the body or person of the detenue, the petitioner's son namely G.Muthukumar, S/o.Ganesa Pandian, aged 28 years and set him at liberty.

For Petitioner: Mr.M.M.Manivelpandian

For R1 to R3 : Mr.T.Senthil Kumar

Additional Public Prosecutor.

O R D E R

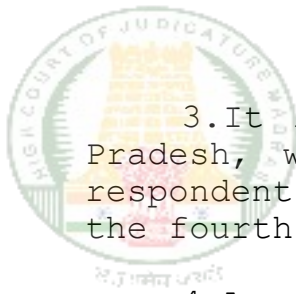
R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks for the production of the person of her son, who is said to be missing since 01.11.2020.

2.Head the learned counsel appearing on either side and perused the materials placed before this Court.



3.It is stated that the detenue had gone to Koodoor in Andra Pradesh, where he worked earlier in search for a job. The third respondent, who is the brother of the detenue's wife, is working in the fourth respondent's mill.

4.According to the petitioner, the detenue went missing from the fourth respondent's mill.

5.The learned Additional Public Prosecutor, upon instructions, would submit that the detenue had gone to Koodoor is true. However, he had returned by lorry to Chennai and he was put in a lorry by one Rajan, at the request of the third respondent viz., Muniyasamy.

6.The statements of Rajan as well as Muniyasamy recorded by the Police during the course of investigation have been produced before us. From the said statements, it is seen that there was a scuffle between Muniyasamy and the detenue and that the detenue left Koodoor by lorry on 01.11.2020. The police have registered a case under 'man missing' and are investigating the same.

7.We do not see any case of illegal detention. Hence, this Habeas Corpus Petition is closed. The Police are directed to pursue the investigation and produce the detenue as and when he is secured before the jurisdictional Magistrate.

Sd/-
Assistant Registrar(CS III)

/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.M.MANIVELPANDIAN, Advocate (SR-10441[F] dated 07/03/2022)

H.C.P. (MD) No.1443 of 2021
07.03.2022

MK/21.03.2022/2P/5C