



H.C.P.No.44 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

H.C.P.No.44 of 2023

V.Jose

.. Petitioner

Vs.

1.The City Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai – 600 007.

2.The Inspector of Police,
Law & Order,
T-4, Maduravoyal Police Station,
Maduravoyal, Chennai – 600 095.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to
issue a WRIT OF HABEAS CORPUS directing the respondents to secure the
petitioner's brother viz. V.Johny, aged about 26 years, before this Court and
set him at liberty.



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For Petitioner : Mr.J.Vincent Kumar
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to secure the his brother *viz.* V.Johny, aged about 26 years, before this Court and set him at liberty.

2. It is the case of the petitioner that his brother Johny, aged about 26 years, went missing from 22.12.2022 and that the police are not taking effective steps to secure him.

3. Today, N.Perumalsamy (Mobile No.98404 64500), Sub-Inspector of Police, T-4, Maduravoyal Police Station, Chennai, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Johny was employed as a driver under one Sathish Kumar and when Johny went missing, on a complaint given by Sathish Kumar, a



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case in Madhuravoyal Police Station Crime No.673 of 2022 has been registered on 22.12.2022 for “man-missing” and based on an online complaint given by the petitioner, a petition enquiry in C.S.R.No.RRJ22228932 has been registered for “man-missing”. However, during the course of investigation, it came to light that Johny has some difference of opinion with his brother (petitioner) and has gone to Puducherry and relaxing and when enquired, Johny stated that he does not want to join the petitioner.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Inspector of Police, Madhuravoyal Police Station, to proceed with the investigation in Crime No.673 of 2022 and bring the same to its logical conclusion by producing Johny, aged about 26 years, before the Judicial Magistrate Court No.II, Poonamallee, Chennai, under intimation to the petitioner and Sathish Kumar. The petitioner and Sathish Kumar may be informed of the developments, if any.

[P.N.P., J.] [N.A.V., J.]
10.01.2023

nsd

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To

1.The Judicial Magistrate No.II,
Poonamallee, Chennai.

2.The City Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai – 600 007.

3.The Inspector of Police,
Law & Order,
T-4, Maduravoyal Police Station,
Maduravoyal, Chennai – 600 095.

4.The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH, J.
AND
N.ANAND VENKATESH, J.

nsd

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