



H.C.P.No.94 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

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CORAM
THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

H.C.P.No.94 of 2023

K.Suresh Kumar
S/o.Kothandan

.. Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Tiruvannamalai District.

2. The State of TN
Rep. by its Inspector of Police
Arni Town Police Station
Tiruvannamalai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 2nd respondent to produce the body or person of P.Kothandan, S/o.Parasuramani, aged about 66 years residing at No.50, P.A.K Street, Kosapalayam, Arani, Tiruvannamalai District and set him at liberty.

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For Petitioner : Mr.R.Agilesh
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN., J.,]

This habeas corpus petition has been filed seeking a direction directing the second respondent to produce the body of P.Kothandan, S/o.Parasuramani, aged about 66 years.

2. The petitioner is the son of the detenu, who lodged a complaint and on receipt of the same, the second respondent registered FIR in Crime No.10 of 2023 on 07.01.2023 under 'Man Missing'. While pending investigation in Crime No.10 of 2023, the second respondent received a information from the Sathyavedu Police Station, Andhra Pradesh that the detenu was murdered by three accused persons. On the information, the second respondent received the body of the deceased and handed over to the petitioner.

3. The learned Additional Public Prosecutor, on instructions, would



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submit that on further statement recorded from the petitioner, the second respondent altered the offence in Crime No.10 of 2023 into Sections 364(A), 147, 302, 201 read with 120(B) of IPC and proceeding further investigation.

4. Recording the submissions of learned Additional Public Prosecutor, this Habeas Corpus Petition is closed as nothing survives for further adjudication. There shall be no order as to costs.

(M.S.,J.)

(G.K.I.,J.)

23.01.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

mk

M.SUNDAR, J.,

and

G.K.ILANTHIRAIYAN,, J.,

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To
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Tiruvannamalai District.
2. The State of TN
Rep. by its Inspector of Police
Arni Town Police Station
Tiruvannamalai District.
3. The Public Prosecutor
High Court, Madras.

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