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H.C.P.No.2462 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09..01..2023

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and

The Honourable Mr. Justice **N.ANAND VENKATESH**

Habeas Corpus Petition No.2462 of 2022

Mariyappan

..... Petitioner

-Versus-

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

2.The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri.

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents to produce the body and person of the petitioner's son Dhinesh (detenu), aged about 17 years before this court and hand over his custody to the petitioner.

For Petitioner : *Ms.S.Sengkodi*

For Respondents : *Mr.R.Muniyapparaj,*
Additional Public Prosecutor



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ORDER

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

This Habeas Corpus petition has been filed seeking a direction to the respondents to produce the body or person of the petitioner's son viz., Dhinesh (detenu), aged about 17 years before this court and hand over his custody to the petitioner.

2. On 01.12.2022, we passed the following order

“It is the case of the petitioner that his son Dhinesh, aged about 17 years, went missing from 16.11.2022 and that the police are not taking effective steps to secure him.

2. Today, K.Sivakumar (Mobile No.94898 77077), Sub-Inspector of Police, Krishnapuram Police Station, Dharmapuri District, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Krishnapuram Police Station Crime No.149 of 2022 has been registered for 'boy missing' on 18.11.2022 and during the course of investigation, it came to light that Dhinesh has not been going to school regularly and so, the petitioner advised him to go to school, disgusted by which, Dhinesh left the house and ran away. He further submitted that earlier, on two occasions, Dhinesh had gone missing and on the complaint given by the petitioner, he was secured from Bombay.

4. In such view of the matter, this Court issues a direction to the Deputy Superintendent of Police, Dharmapuri Sub-Division, Dharmapuri District, to supervise the investigation in Crime No.149 of 2022 that is being conducted by the Inspector of Police, Krishnapuram Police Station and keep the petitioner



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informed of the developments, if any. As and when the detenu viz. Dhinesh, aged about 17 years, is secured, he shall be produced before the Judicial Magistrate Court No.II, Dharmapuri District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to the custody in accordance with law.

Post the matter on 05.01.2023.”

3. Today, when the matter was taken up for hearing, Mr.G.Narayanan, Spl. Sub-Inspector of Police, Krishnapuram Police Station, was present.

4. On instructions, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, submitted that the detenu viz., Dhinesh, was secured by the police on 28.12.2022 and was produced before the learned Judicial Magistrate-II, Dharmapuri and thereafter, was handed over the petitioner.

Recording the above, this Habeas Corpus Petition is closed.

(P.N.P., J.) (N.A.V.,J.)
09..01..2023

Index: Yes/No
kmk

To

- 1.The Superintendent of Police, Dharmapuri, Dharmapuri District.
- 2.The Inspector of Police, Krishnapuram Police Station, Dharmapuri.
- 3.The Public Prosecutor, High Court, Madras.



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