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H.C.P.No.399 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.399 of 2024

Dhamodharan

... Petitioner

Vs.

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

2.The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's son by name Dhanaraj, aged about 40 years, before this Court and to set him at liberty.

For Petitioner : Mr.M.Subash
(No appearance)

For Respondents : Mr.A.Gokulakrishnan,
Additional Public Prosecutor
assisted by Mr.C. Aravind



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ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

In the present Habeas Corpus Petition, the grievance of the petitioner seems to be that, when his son had gone missing from 20.10.2023 and his complaint in this regard in Crime No.254/2023 under the caption 'man missing' was not expeditiously concluded, he has filed the present petition seeking for production of his son before this Court.

2. In the affidavit filed in support of this petition, there is no mention as to whether the petitioner's son is in illegal custody of the third person. On the other hand, the complaint seems to be one of inaction of the Police to complete the investigation in Crime No.254/2023. Therefore, we are of the view that the Habeas Corpus Petition is misconceived and the same is not maintainable.

3. In the light of the above observations, we are of the view that exemplary cost requires to be imposed in the instant case. Accordingly, the



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Habeas Corpus Petition stands dismissed with a cost of Rs.10,000/- payable to the Tamil Nadu State Legal Services Authority.

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[M.S.R., J]

[S.M., J]

27.02.2024

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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To

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

2.The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

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