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H.C.P.No.751 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM :

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

H.C.P.No.751 of 2024

K.Chitra

... Petitioner

Vs.

1.The District Superintendent of Police,
O/o. District Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2.The State by
The Inspector of Police,
Thiruvalangau Police Station,
Thiruvallur District
(Crime No.772/2023)

3.D.Dhayanithi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the petitioner's father by name G.Dakshinamoorthy, aged about 72 years, before this Court and to set him at liberty.



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For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.E.Taj Thilak
Additional Public Prosecutor

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 her father had gone missing from 13.11.2023 and her complaint in this regard in Crime No.772/2023 under the caption 'man missing' was not expeditiously concluded, she has filed the present petition seeking for production of her father before this Court.

2. In the affidavit filed in support of this petition, there is no mention as to whether the petitioner's father 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.772/2023. Therefore, we are of the view that the Habeas Corpus Petition is misconceived and the same is not maintainable.



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

[M.S.R., J]

[S.M., J]

10.04.2024

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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To

1.The District Superintendent of Police,
O/o. District Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2.The State by
The Inspector of Police,
Thiruvallur Police Station,
Thiruvallur District



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3.The Public Prosecutor,
High Court, Madras.

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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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