



WEB COPY



HCP.No.1058 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2024

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

H.C.P.No.1058 of 2023

S.Sathishkumar

.. Petitioner / brother of the detenue

Vs.

1.The Superintendent of Police,
Erode.

2.The Inspector of Police,
Chennimalai Police Station,
Erode District.
Cr.No.313 of 2022

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the second respondent herein to produce the detenue namely, S.Sekar, aged about 21 years before this Court and set him at liberty.



HCP.No.1058 of 2023

For Petitioner : Mr.J.Titus Enock
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by
Mr.C.Aravind

ORDER

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

The petitioner's younger brother, aged about 21 years, had gone missing from his house, and therefore, he has given a complaint, which has been registered by the second respondent police in Cr.No.313 of 2022. In this background, the present Habeas Corpus Petition has been filed.

2. In the affidavit filed in support of this petition, there is no averment that the petitioner is in the illegal custody of any third parties. On the other hand, the petitioner himself admits that this is a case of man missing for which, he has given a complaint.



HCP.No.1058 of 2023

3.The respondents, in their status report filed before us, have outlined the various steps taken by them to trace the petitioner's brother and have stated that efforts are being continued to trace the petitioner's brother.

4.Since this is not a case of illegal detention, the present Habeas Corpus Petition may not be maintainable. However, the respondents are called upon to expedite the investigation in Cr.No.313 of 2022 and file a final report as expeditiously as possible.

5.In view of the above direction, this Habeas Corpus Petition stands closed.

(M.S.R.,J.) (S.M.,J.)
18.01.2024

NCC : Yes / No
Index : Yes / No
Anu



WEB COPY



HCP.No.1058 of 2023

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

Anu

To

- 1.The Superintendent of Police,
Erode.
- 2.The Inspector of Police,
Chennimalai Police Station,
Erode District.
- 3.The Additional Public Prosecutor,
Madras High Court

H.C.P.No.1058 of 2023

18.01.2024