



HCP.No.2323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM

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

H.C.P.No.2323 of 2023

Neelavathi.H

.. Petitioner

Vs.

1.The State Rep by  
The Commissioner of Police,  
Avadi,  
Chennai.

2.The State rep. by  
The Inspector of Police,  
M5 Ennore Police Station,  
Ennore, Chennai-57.

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents herein to produce the body of Dilli Babu, Younger son of the petitioner herein, aged 38 years, before this Court and set him at liberty.



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For Petitioner : Mr.B.Mohan  
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.**)

This petition has been filed seeking a direction to the respondents herein to produce the body of Dilli Babu, who is the younger son of the petitioner herein, aged 38 years, before this Court and set him at liberty.

2. Alleging that the petitioner's son, aged about 38 years, had gone missing on 09.09.2023, she had given a complaint to the second respondent police, which was initially registered as a man missing complaint. Thereafter, the respondents had traced the dead body of the petitioner's son, which was also identified by the petitioner herein, and accordingly, a complaint has been registered in F.I.R.No.231 of 2023, dated 16.09.2023, which was subsequently, altered for an offence under Section 302 IPC.



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3. In view of the aforesaid developments, the prayer sought for in the present Habeas Corpus Petition has become infructuous.

4. Accordingly, this Habeas Corpus Petition stands dismissed.

**(M.S.R.,J.) (S.M.,J.)**  
**24.01.2024**

NCC : Yes / No  
Index : Yes / No  
Anu

To

1. The Commissioner of Police,  
Avadi,  
Chennai.

2. The State rep. by  
The Inspector of Police,  
M5 Ennore Police Station,  
Ennore, Chennai-57.

3. The Additional Public Prosecutor,  
Madras High Court



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

Anu

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**24.01.2024**