



H.C.P.(MD) No.131 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

H.C.P.(MD) No.131 of 2024

N.Chithrayee

... Petitioner

-vs-

1.The Superintendent of Police
Ramnad
Ramnad District

2.The Inspector of Police
Town Police Station
Rameswaram
Ramanathapuram District

3.Anandh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the detenu, namely, Vijayakumar, son of Nagu, aged about 46 years, son of the petitioner, before this Court and set him at liberty.

For Petitioner : Ms.Jeena Rita David

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor for R1 & R2



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ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The petitioner has filed this habeas corpus petition seeking a direction to the respondents 1 and 2 to secure her son, namely, Vijayakumar, aged about 46 years, produce him before this Court and set him at liberty.

2. It is the case of the petitioner that the alleged missing person is her son and he was a fisherman and also a daily wage labour. He was working in Tirunelveli and for Diwali holidays, he came to native place on 11.09.2023. On 22.11.2023, he went outside along with his friend / third respondent. But, he did not come till night. Though, she searched for her son, he could not be traced out. Therefore, the elder brother of the alleged missing person lodged a complaint before the second respondent and based on his complaint though a case in Crime No.251 of 2023 for man missing came to be registered, no effective steps were taken trace the alleged missing person. Hence, this habeas corpus petition.

3. The second respondent – Police has filed a status report dated 03.06.2024. A perusal of the same shows that the alleged missing person is a



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drunkard and on 27.11.2023, the alleged missing person and the third respondent were drinking liquor near a water tank in Sambai Village and thereafter, the third respondent took the alleged missing person in his vehicle and left him near his house and thereafter, he was found missing. It is further stated that necessary steps are being taken to trace the whereabouts of the alleged missing person and as and when the alleged missing person is secured or his whereabouts is located, the same will be intimated to the petitioner.

4. Recording the same, this habeas corpus petition is closed with a direction to the respondent – Police to continue with the investigation in accordance with law and as and when the alleged missing person is secured or his whereabouts is identified, the same shall be intimated to the petitioner forthwith.

[A.D.J.C., J.]

[K.R.S., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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