



H.C.P.(MD) No.162 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM:

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

H.C.P.(MD) No.162 of 2024

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... Petitioner

-VS-

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Superintendent of Police,
Tirunelveli District.
- 3.The State Rep. by
The Sub-Inspector of Police,
Perumalpuram Police Station,
Perumalpuram,
Tirunelveli City.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the detenu or his corpus namely Lakhsman @ Siva, S/o.Raja (Late), aged about 24 years before this Court and set him at liberty.

For Petitioner : Mr.A.Muruganandha Prabhu
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed by the mother of the detenu seeking to produce the alleged detenu namely Lakhsman @ Siva before this Court.

2. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents would submit that the petition has been filed seeking to find out the whereabouts of the petitioner's son Lakhsman @ Siva. Based on the complaint given by the petitioner, a case in Cr.No.18 of 2024 has been registered on 10.01.2024 under 'Man Missing'. Even as per the complaint, the petitioner has stated that the alleged detenu had



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withdrawn a sum of Rs.40,000/- (Rupees Forty Thousand only) without her knowledge and had gone away.

3. He would further submit that the preliminary enquiry reveals that the alleged detenu had borrowed loans from several persons without the knowledge of the petitioner and since he was unable to return back the amount to them, he had gone away without informed anybody. Further to divert the investigation, he had willfully left the mobile phone in the Government bus and the mobile phone has also been recovered and handed over to the respondent police by the bus conductor. He would further submit that the respondent police are continuing with the investigation.

4. In view of the above, the respondents are directed to continue the investigation and as and when the detenu is secured, it has to be intimated to the petitioner.



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5. Accordingly, this Habeas Corpus Petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
10.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
am

To:

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District.
3. The Sub-Inspector of Police,
Perumalpuram Police Station,
Perumalpuram,
Tirunelveli City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

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