



H.C.P.(MD) No.371 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**

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Muthukumar

... Petitioner

-VS-

1.The Superintendent of Police,
District Police Office,
Thoothukudi District.

2.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the person or body of the detenue, who is the petitioner's father namely Kanniah, son of Mookkiah Devar, aged 78 years before this Court and set him at liberty.



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For Petitioner : Mr.R.Jegadeeswaran

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 son of the detenu seeking to produce the alleged detenu namely Kanniah before this Court.

2. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents has filed an elaborate status report. He would submit that based on the complaint given by the petitioner, a case in Cr.No.3 of 2023 has been registered on 04.01.2023 under 'Man Missing'. He would further submit that preliminary enquiry reveals that the alleged detenu was earlier working as watchman in an Engineering College and that there was a family dispute between the detenu and his son with regard to the excess payment made towards water deposit to the Municipality. Further there was a property dispute between the petitioner and his sister with regard to a



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property belonging to the detenu and based on complaint enquiry had been conducted and it was found that the detenue had settled the property in favour of the petitioner and the petitioner's sister had been advised to seek redressal before the Civil Court. He would further submit that a special team has been formed to find out the whereabouts of the detenu.

3. It further reveals that being distressed with the problems in the family the detenue had left on his own. He would further submit that investigation is going on and as and when the detenue is located and secured it 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 the investigation in accordance with law.

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

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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