



H.C.P.(MD).No.1132 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.02.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD).No.1132 of 2023
and
Crl.M.P.(MD).No.575 of 2024

R.Arputharaj

.. Petitioner/Brother of the Detenu

Vs.

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Sub-Inspector of Police,
Pattukkottai Taluk Police Station,
Pattukkottai,
Thanjavur District.

.. 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 secure the detenu and produce the body or person of the detenu, viz., R.Ashok, S/o.Raju Servai, aged 36 years before this Court and set him at liberty forthwith.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor



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ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

The brother of the petitioner, namely, Ashok, who came down to India from Singapore on 17.04.2023 went to Velankanni during the third week of May 2023 and thereafter, went out of contact. A case in Crime No.223 of 2023 was registered on 23.05.2023 based on the complaint preferred by the petitioner. Since there was no progress in the investigation, the present Habeas Corpus Petition came to be filed.

2. The Habeas Corpus Petition is pending for the past four months. The status report filed by the second respondent indicates that on enquiry with the Central Foreign Bureau, New Delhi, it is ascertained that the brother of the petitioner, Ashok, had not travelled back to any country after he reached India on 17.04.2023. The Inspector of Police, who has filed the status report, has stated that the special team formed to trace the whereabouts of the missing man had returned without any clue.



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3. In the said circumstances, this Court is of the view that the Habeas Corpus Petition shall be closed for the present. If the petitioner has any details about the bank account of the detenu, the same shall be furnished to the second respondent enabling them to probe through the bank account and try to trace the detenu, Ashok.

4. With the above observations, this Habeas Corpus Petition is closed. Consequently, connected miscellaneous petition stands closed.

(G.J.,J.) (C.K.,J.)
19.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Sub-Inspector of Police,
Pattukkottai Taluk Police Station,
Pattukkottai, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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