



H.C.P.(MD)No.1385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD)No.1385 of 2024

Muthu Vairam

... Petitioner / Father of Detenu

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents herein to secure and produce the body or person of the detenu namely Sivaram, S/o.Muthu Vairam, aged about 19 years before this Court and set him at liberty.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor.



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ORDER

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(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner's son is missing since 23.10.2024. In this regard, the petitioner lodged a complaint and the second respondent registered Crime No.467 of 2024. From the averments set out in the affidavit filed in support of the habeas corpus petition, we are satisfied that the petitioner's son has left home on his own accord. This is not a case of illegal detention. This habeas corpus petition is not maintainable. The petitioner will have to pursue his remedy with the second respondent.

3.The habeas corpus petition is dismissed.

(G.R.S. J.) & (R.P. J.)
08.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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- 1.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

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