



H.C.P.No.3054 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P. No.3054 of 2024

Sathishkumar

... Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District.

2. The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.

3. D. Nachimuthu

... Respondents

PRAYER: The Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue writ in the nature of Habeas Corpus Petition directing the second respondent herein to produce the body of the detainees by name Kaliappan S/o.Veerapagounder aged about 65 years and Kavitha D/o.Kaliappan aged about 43 years before this Court and set them at liberty.

For Petitioner : Mr.Ali Hassan Khan



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For Respondent : Mr.R.Muniyaparaj
Nos.1 and 2 Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

For Respondent : Mr.P.M.Jayachandran
`No.3

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ORDER

*(Order of the Court was made by **M.S.RAMESH, J.**)*

The present Habeas Corpus Petition has been filed to produce the body of the detenues by name Kaliappan S/o.Veerapagounder, aged about 65 years and Kavitha D/o.Kaliappan, aged about 43 years, before this Court and set them at liberty.

2. This is the case, where two persons, who are the father, aged about 65 years and the daughter, aged about 43 years, have gone missing and the petitioner's complaint in this regard has also been registered in Crime No.331 of 2024 under the caption "man/woman" missing.

3. It is not the case of the petitioner that the detenues are under the illegal/unlawful custody of any third party. Rather this is a mere case of persons missing. The respondents have also taken several steps to trace



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the missing persons and the Superintendent of Police, Krishnagiri District, has also filed an Additional Status Report in this regard.

4. We fail to understand as to how Habeas Corpus Petition can be maintained when the petitioner has an alternate remedy under the Criminal Procedure Code to seek for expeditious investigation in this matter. Since the Habeas Corpus Petition cannot be maintained, the Habeas Corpus Petition stands dismissed with costs of Rs.10,000/- (Rupees Ten Thousand Only) payable by the petitioner to the Tamil Nadu State Legal Services Authority, Chennai, on or before 27.03.2025.

Post this matter on 28.03.2025 *"for reporting compliance"*.

(M.S.R, J.) (N.S, J.)
18.03.2025

ASI



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M.S. RAMESH, J.
and
N. SENTHILKUMAR, J.

ASI

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
3. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Chennai.

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