

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R. SUDHAKAR

AND

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

H.C.P.No.1064/2015

Loganayagi .. Petitioner

Versus

1. The Inspector of Police
R10 KK Nagar Police Station
Chennai.

2. Mrs.Marudhayee .. Respondents

**R2 impleaded as proposed respondent
as per the order of this Court made in
MP.No.1/2015 in HCP No.1064/2015
dated 03.06.2015.

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondent to produce the detenu viz., Pandian, Hindu, aged about 38 years, son of Kalimuthru, before this Court.

For Petitioner : Mr.A.Ilangovan

For R1 : Mr.A.N.Thambidurai,
Additional Public prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.,]

The above petition has been filed by the petitioner/wife of the detenu, cause production of her husband, Pandian, aged 38 years, who is said to be in the illegal custody of the 2nd respondent herein.

2. It is the case of the petitioner that her husband Pandiyan has gone missing, in connection with which enquiry is pending in CSR No.80/CSR/RIOPS/14. During the course of investigation, it appears that the petitioner's husband has eloped with the second respondent.

3. The second respondent appeared before this Court and submitted that she is a married person and that she does not know about the whereabouts of the petitioner's husband. However, since the petitioner's husband is aged about 38 years and that there is no illegal custody by the second respondent, this is not a fit case to issue Writ of Habeas Corpus.

4. Accordingly, the petition is closed. However, the respondent police is directed to proceed with the enquiry and keep the petitioner informed of the developments, if any.
Gms

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police
R10 KK Nagar Police Station
Chennai.

2. The Public Prosecutor
High Court, Chennai.

+1 C.C. To MR.A.Ilangovan, advocate in SR.NO.61864

H.C.P.No.1064/2015

VGI (CO)

sd : 10/12/2015

WEB COPY