

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2015

CORAM

The Honourable Mr.JUSTICE R.SUDHAKAR
and
The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.1066 of 2015

C.Anuradha

.... Petitioner

Vs.

Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai - 600 083.

.... Respondent

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondent police herein to produce the petitioner's husband V.Ganesh, son of Sathiyam, Hindu aged about 40 years before this Court and set him at liberty.

For Petitioner : Mr.L.Prabahar
For Respondents: Mr.A.N.Thambidurai,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the wife of the detenu, V.Ganesh, seeking direction to the respondents to produce the detenu before this Court and set him at liberty.

2. It is the case of the petitioner that her husband left the house and went missing on 15.10.2013, in connection with which a case in Crime No.2023 of 2013 for man missing has been registered by the respondent police on 17.12.2013 and investigation is pending. It is seen that the petitioner in her affidavit had stated that consequent to the illicit intimacy of the detenu with a lady, there is a matrimonial discord between them.

3. The respondent has filed status report detailing the steps that have been taken by them to secure the detenu. It is stated that despite the steps taken, they are unable to trace the detenu and still they are taking sincere and effective steps to trace him.

4. In the light of the above, we feel that it is a case of matrimonial dispute and the detenu is not in the illegal custody of any one. Hence, it is not a fit case warranting issuance of Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition stands closed with a direction to the respondent police to proceed with the investigation in Crime No.2023 of 2013 and keep the petitioner informed about the developments.

Sd/-
Assistant Registrar(CS VII)

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Sub Assistant Registrar

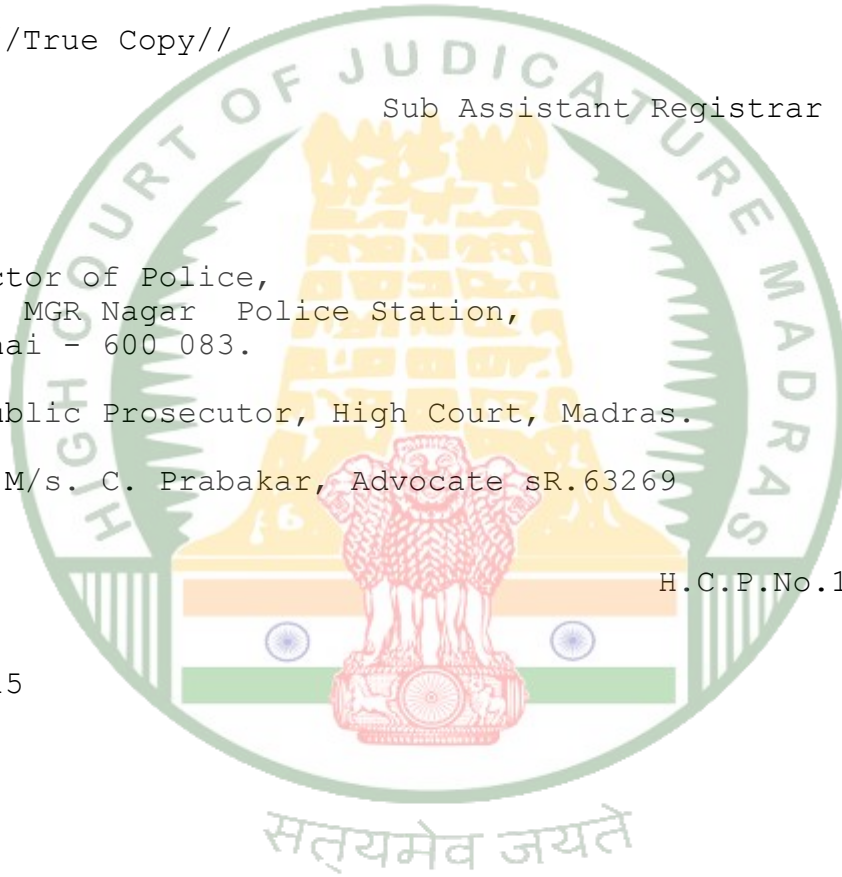
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To

1. Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai - 600 083.
 2. The Public Prosecutor, High Court, Madras.
- + 1 cc to M/s. C. Prabakar, Advocate sR.63269

H.C.P.No.1066 of 2015

MP(CO)
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