

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 01.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR. JUSTICE P.N.PRAKASH

H.C.P. NO. 1148 OF 2015

R.Vijayan

.. Petitioner

- Vs -

1. The Superintendent of Police
Thiruvavarur District.
 2. The Inspector of Police
Peralam Police Station
Thiruvavarur District.
- .. Respondents

Petition filed for the issuance of a writ of habeas corpus directing the respondents to produce the petitioner's daughter, Sarala, aged about 35 years, W/o Udayakumar, before this Court, set her at liberty.

For Petitioner : Mr. T.Muruganantham

For Respondents : Mr. A.N.Thambidurai, APP

ORDER
(DELIVERED BY P.N.PRAKASH, J.)

This petition has been filed by the petitioner for a direction to the respondents to produce the petitioner's daughter, Sarala, aged about 35 years before this Court and set her at liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Addl. Public Prosecutor appearing for the respondents.

3. It is the case of the petitioner that his daughter, Sarala, aged about 35 years, went missing in connection with which a case in Crime No.121/2015 has been registered for 'Woman Missing' by the second respondent. In spite of registration of the case, since no effective steps have been taken by the respondent police to secure the detainee, the present petition has been filed.

4. The respondent police have filed two status reports before this Court narrating the steps that have been taken by them to secure the detainee. The report reveals that the detainee had gone with one Appu @ Arun and that the police authorities are on the look out for them. It is further submitted by the learned Addl. Public Prosecutor that the investigation is in progress.

5. From the materials available on record, it is evident that the detainee is not illegally detained by anyone. It is also not the case of the petitioner that the detainee is under the illegal custody of any person. In such circumstances, this Court is of the considered view that since the detainee has voluntarily moved out of her matrimonial house of her own, the question of illegal detention warranting issuance of a writ of habeas corpus does not arise.

6. Accordingly, this habeas corpus petition is closed with a direction that the investigation of the case by the second respondent shall proceed under the supervision of the Deputy Superintendent of Police and the petitioner shall be kept informed of any development/break through in the case.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

GLN

To

1. The Superintendent of Police
Thiruvarur District.

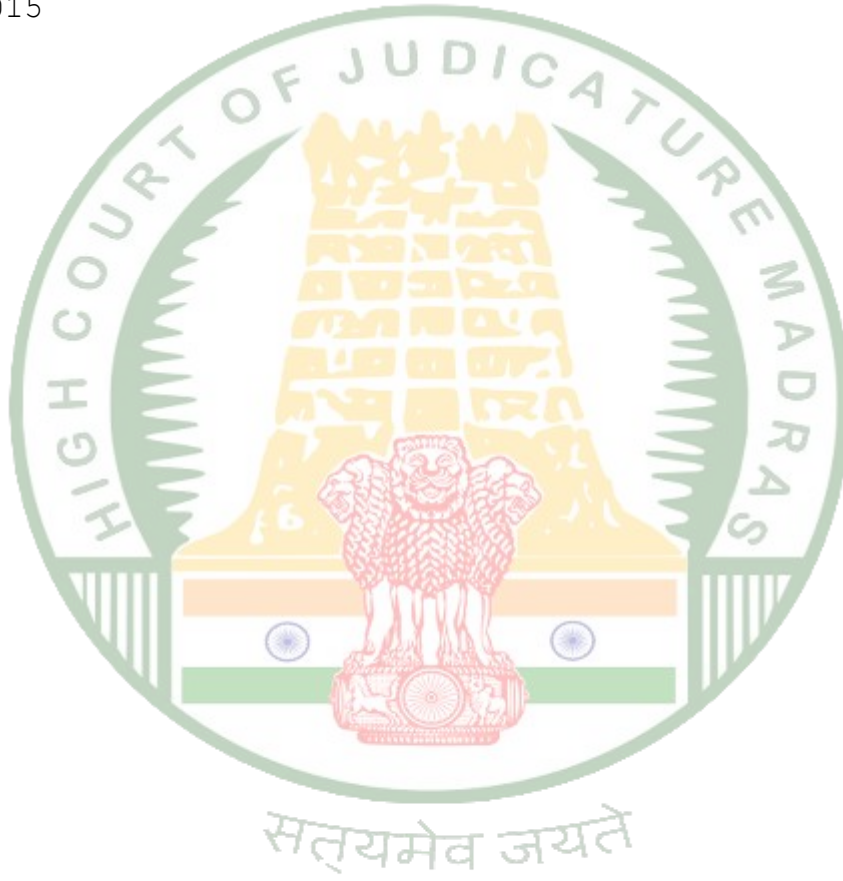
2. The Inspector of Police
Peralam Police Station
Thiruvarur District.

3. The Public Prosecutor
High Court, Madras.

4.The Deputy Superintendent of Police,
Thiruvarur District.

H.C.P. NO.1148 OF 2015

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