

In the High Court of Judicature at Madras

Dated: 19.11.2015

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR

and

The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.1873 of 2015

K.Saranya

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
H1, Washermenpet Police Station,
Washermenpet, Chennai - 600 021.

2. Mrs.M.Anjali

3. Mr.G.Mani

4. Mr.V.Prakash

5. Mr.Sekar

6. Mr.Mahesh

... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the first respondent to produce the corpus of the petitioner's husband namely V.Karthik, S/o Venkataraman, aged about 36 years, residing at No.8/36, narayanappa Nayakkan Garden, 8th Lane, Old Washermenpet, Chennai - 600 021 from the illegal custody of respondents 2 to 6 and set him at liberty.

For Petitioner : Mr.D.Kalairasan

For Respondents: Mr.A.N.Thambidurai,
Addl. Public Prosecutor - R1

Mr.N.Moorthi - R2 to R6

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 for a direction to the first respondent to produce the detenu V.Karthik before this Court and set him at liberty.

2. It is seen that the petitioner and her husband had matrimonial discord and they got estranged in the year 2011. Thereafter, it is alleged by the petitioner that her husband came back to her and once again he went missing on 01.11.2013, in connection with which, a case in Crime No.1174 of 2013 for man missing has been registered by the first respondent on 18.11.2013 and investigation is in progress. The first respondent police has filed status report narrating the steps taken to secure the detenu.

3. Learned counsel appearing for respondents 2 to 6 vehemently denies the allegations made by the petitioner that the alleged detenu is in the custody of respondents 2 to 6 and in this regard, they have filed a counter affidavit.

4. In such circumstances, this Court is of the view that there is no illegal detention by any one warranting issuance of Habeas Corpus. Accordingly, this petition stands closed, however with a direction to the first respondent - police to proceed with the investigation in Crime No.1174 of 2013 and keep the petitioner informed about the developments.

S1

Sd/-

Assistant Registrar (CS-VII)

/True Copy/

Sub-Assistant Registrar

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To

1. The Inspector of Police,
H1, Washermenpet Police Station,
Washermenpet, Chennai - 600 021.

2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.A.Prakash, Advocate in SR.NO.62807

+1 C.C. To MR.N.Moorthi, Advocate in SR.NO.63011

H.C.P.No.1873 of 2015

BVR(CO)

sd : 11/12/2015



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