

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2015

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P.No.2318 of 2015

Subramanian

Petitioner

vs.

1.The Superintendent of Police
Villupuram District,
Villupuram.

2.The Inspector of Police,
Valavanur Police Station,
Valavanur, Villupuram District.

3.Murugan

Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person Ms.Seethalakshmi aged about 25 years before this Hon'ble Court and set her at liberty.

For Petitioner Mr.M.Gnanamoorthy

For Respondents Mr.A.N.Thambidurai
Additional Public Prosecutor
for R1 and R2

ORDER

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

This petition has been filed seeking a direction to the respondents 1 and 2 to produce the person Ms.Seethalakshmi aged about 25 years before this Hon'ble Court and set her at liberty.

2. It is the case of the petitioner that his wife Seethalakshmi, aged about 25 years, working as a Teacher in a private school went missing on 20.07.2015 pursuant to which a

case in Cr.No.763 of 2015 for "woman missing" has been registered by the second respondent police. The second respondent has filed a Status Report detailing the steps that have been taken by them to trace the missing person.

3. Even according to the petitioner, his wife had gone with the third respondent who is said to be a married person. This statement is corroborated by the Status Report filed by the police, wherein it is stated as follows:

"4. I submit that, on the same day, I went to the complainant's residence and examined the following witnesses and recorded their statements:

(i) Tr.Subramani - Defacto complainant/petitioner herein

(ii) Tmt Viruthambal - Mother of the detenue

(iii) Tr.Davamani - Uncle of the detenue
Witnesses 1 to 3 corroborate that the detenu had affair with one Murugan, who already married and he had two children and also they suspected that the detenu was eloped with the said Murugan."

In view of the above, we are of the opinion that there is no illegal detention, warranting issuance of Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition is closed. However, the police may proceed with the investigation in Cr.No.763 of 2015 and keep the petitioner informed. However the police may proceed with the investigation in Cr.No.763 and keep the petitioner informed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Superintendent of Police
Villupuram District,
Villupuram.

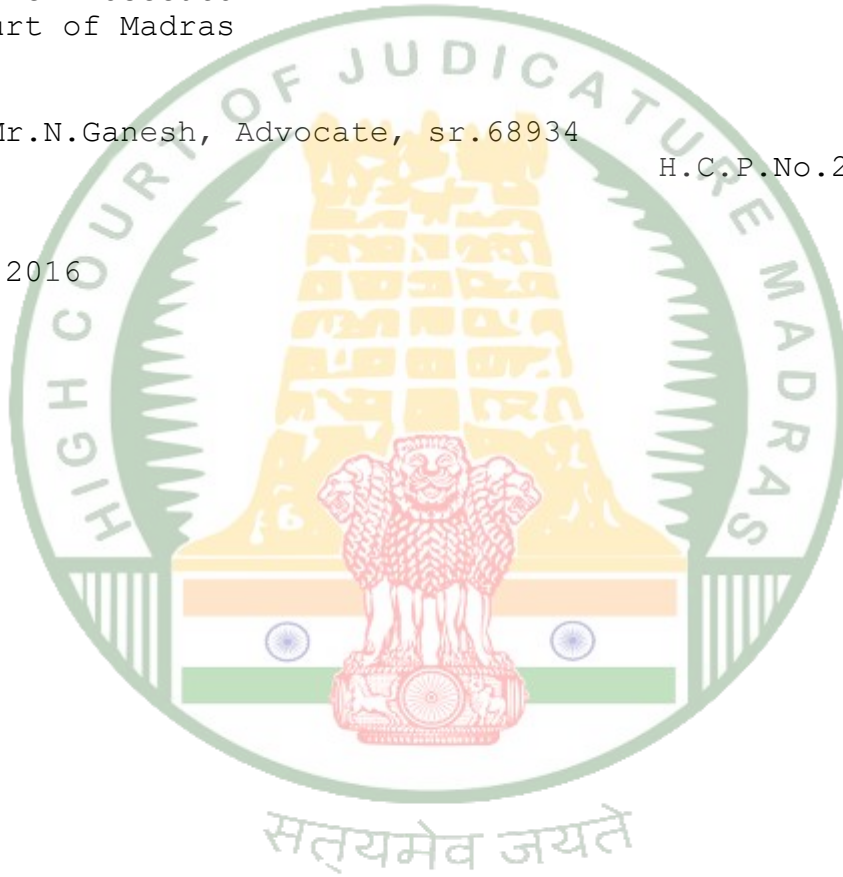
2.The Inspector of Police,
Valavanur Police Station,
Valavanur, Villupuram District.

3.The Public Prosecutor
High Court of Madras
Chennai.

+1 cc to Mr.N.Ganesh, Advocate, sr.68934

H.C.P.No.2318 of 2015

msm co
kra 25.01.2016



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