

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM:

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

H.C.P.No.2450 of 2015

G.Saravanan

Petitioner

vs.

1.The Commissioner of Police,
Greater Chennai, Vepery,
Chennai - 600 007.

2.The Inspector of Police,
SRMC, Porur,
Chennai - 600 116.

3.C.S.Rajendran

4.Elumalai

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 detinue namely Mrs.R.Yuvasri, W/o.G.Saravanan, who is under the illegal custody of the 4th respondent, before this Hon'ble Court and set her at liberty.

For Petitioner

Mr.V.R.Karthikeyan

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 detinue, namely Mrs.R.Yuvasri, W/o.G.Saravanan, who is under the illegal custody of the 4th respondent, before this Hon'ble Court and set her at liberty.

2. It is the case of the petitioner that his wife, Yuvasri went missing on 30.08.2015, in connection with which a case in Cr.No.832 of 2015 for "woman missing" has been registered by SRMC, Porur, and the investigation is in progress. The respondent police have filed a detailed counter, wherein they have stated that they suspect that the petitioner's wife had eloped with one Elumalai [4th respondent herein].

3. Under such circumstances, we are of the view that this is not a case of illegal detention warranting issuance of Writ of Habeas Corpus. Further, the petitioner's wife is a major and she has gone on her own volition with the fourth respondent. Hence, this Habeas Corpus Petition is closed with a direction to the respondent police to proceed with the investigation in Cr.No.832 of 2015 and keep the petitioner informed of the developments, if any.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Commissioner of Police,
Greater Chennai, Vepery,
Chennai - 600 007.

2.The Inspector of Police,
SRMC, Porur,
Chennai - 600 116.

3.The Public Prosecutor
High Court of Madras
Chennai.

gr co
kra 07.01.2016

H.C.P.No.2450 of 2015