

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM

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

H.C.P. NO. 2506 OF 2015

M.Ganesan

... Petitioner

- Vs -

1. The Inspector of Police
T-14, Mangadu Police Station
Chennai.
2. The Commissioner of Police
Chennai Police
The Office of the Commissioner of Police
Vepery, Chennai 600 007.

... Respondents

Petition filed for the issuance of a writ of habeas corpus directing the respondents, more particularly the first respondent, to produce the petitioner's wife, Jaqueline, aged about 28 years and daughter, Hemamalini, aged about 3 1/2 years before this Court and set them at liberty.

For Petitioner : Mr. M.Jaikumar

For Respondent : Mr. A.N.Thambi Durai,
Additional Public Prosecutor

ORDER

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

This petition has been filed by the petitioner, for a direction on the first respondent to produce the detainee, viz., his wife, Jaqueline, aged 28 years and his daughter Hemamalini, aged 3 1/2 years before this Court and set them at liberty.

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

3. From a perusal of the records placed before this Court, it is seen that on the complaint lodged by the petitioner that his wife and child are missing, a case in Crime No.676/2015 has been registered on 30.06.2015 for woman and child missing.

4. A status report has been filed by the respondents, wherein the steps that have been taken for tracing the missing persons has been narrated. In para-9 of the status report, the enquiry conducted with the people in the vicinity as also other persons is narrated. The report further reveals that there has been some marital discord between the petitioner and his wife and she has befriended other persons. Therefore, it is clear that the issue is more in the realm of incompatibility in marital life between the petitioner and his wife, the alleged detainee. From the facts, as narrated above, it is evident that it is not a case of illegal detention.

5. In such circumstances, this Court directs the respondent/police to investigate Crime No.676/2015 in accordance with law and if any information relating to the petitioner's wife and child is unearthed by the police, the same shall be communicated to the petitioner.

6. With the above observation this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

GLN

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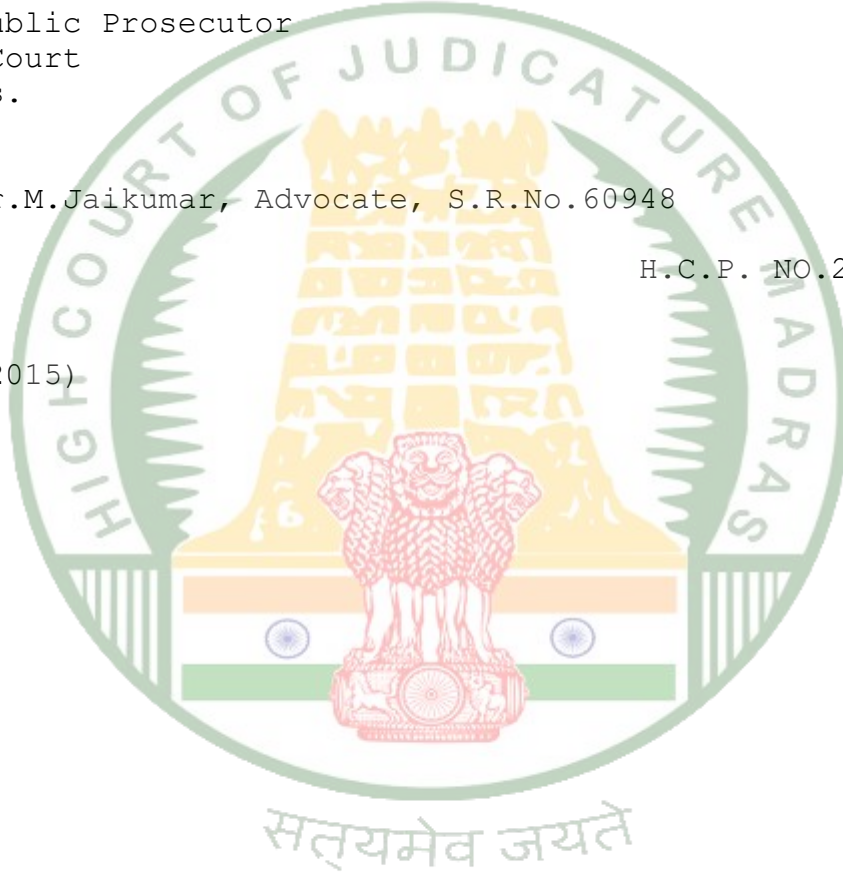
To

1. The Inspector of Police
T-14, Mangadu Police Station
Chennai.
2. The Commissioner of Police
Chennai Police
The Office of the Commissioner of Police
Vepery, Chennai 600 007.
3. The Public Prosecutor
High Court
Madras.

+1cc to Mr.M.Jaikumar, Advocate, S.R.No.60948

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VSN(CO)
CA(30/11/2015)



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