

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM:

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

H.C.P. No.2836 of 2015

Nithya

... Petitioner

Vs.

1.State rep by its
Inspector of Police
Villupuram Town
Villupuram District.

2.Sundari

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India seeking a direction to the first respondent to produce the person and body of petitioner's husband T.Suresh, aged about 35 years before this Court and hand over his custody to the petitioner and set the detainees at liberty forthwith.

For petitioner : Mr.Parigopal

For R1 : Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the first respondent to produce the petitioner's husband T.Suresh, aged about 35 years before this Court and hand over his custody to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is the case of the petitioner that her husband T.Suresh, is in the illegal custody of the second respondent. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, petition enquiry was conducted in CSR.No.252 of 2015 and during the course of investigation, it transpired that the second respondent/Sundari is none other than sister-in-law of Suresh, the petitioner's wife and that she came to the Police Station and stated that Suresh has gone abroad on employment.

4. Under such circumstances, the petitioner is directed to appear before the first respondent police and the first respondent police is directed to furnish the particulars and whereabouts of petitioner's husband, after collecting the same from the family members.

With the above direction, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gms

To

1. Inspector of Police
Villupuram Town
Villupuram District.
2. The Public Prosecutor
High Court of Madras
Chennai.

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RSK(CO)
CA(09/12/2015)