

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2015

CORAM:

The Hon'ble Mr.Justice S.MANIKUMAR

and

The Hon'ble Mrs.Justice ARUNA JAGADEESAN

H.C.P.No.381 of 2015

R.Mangalagowri . Petitioner

vs.

1.State rep. By
The Superintendent of Police,
O/O.Superintendent of Police,
Vellore.

2.State rep. By
The Deputy Superintendent of Police,
Ranipettai,
Vellore District.

3.The Inspector of Police,
Walaljapettai Police Station,
Vellore District.

4.Devi

5.Mani .. Respondents

Prayer: H.C.Petition is filed under Article 226 of the Constitution of India directing the respondent to produce the detainee R. Prakash S/o. Ramu aged about 26 years who is now under the illegal custody of the 2nd and 3rd respondent before this Honourable Court and set his liberty forthwith.

For petitioner : Mr.A.Saranraj

For respondents : Mr.A.N.Thambidurai,
Additional Public Prosecutor.
for R1 to R3

O R D E R

(Order of this Court is made by S.MANIKUMAR, J.)

In the complaint dated 02.01.2015 addressed to the Superintendent of Police, Vellore, the petitioner/mother has stated that her son Prakash had studied B.Sc., (Bio Chemistry). He had developed friendship with one Devi, D/O.Mani, Toll Gate, Chennasamudram, Walajapet, which turned up out to be an intimate love between them. Though she had cautioned his son about the relationship, on 10.11.2011, saying that he is going to Devi's house, he left the petitioner's residence. Thereafter, he has not returned home. Though she made a complaint, to the police his whereabouts are not known. Hence, she was constrained to make a representation to the Superintendent of Police, Vellore, with a copy marked to the Deputy Superintendent of Police, Ranipet.

2. Reading of the complaint does not disclose any allegation of illegal detention of Prakash, by any one, much less respondent Nos.4 and 5. Even as per his complaint, there is a love affair between Prakash and Devi. Inasmuch as the complaint does not disclose any illegal detention, question of issuing a Writ of Habeas Corpus does not arise. Hence, this Habeas Corpus Petition is dismissed. Dismissal of this present Habeas Corpus petition would not preclude the rights of the petitioner to pursue her complaint.

Sd/-

Asst.Registrar (CO)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

mps

To

1.The Superintendent of Police,
O/O.Superintendent of Police,
Vellore.

2.The Deputy Superintendent of Police,
Ranipettai,
Vellore District.

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3.The Inspector of Police,
Walaljapettai Police Station,
Vellore District.

4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.381 of 2015.

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