

In the High Court of Judicature at Madras

Dated: 09.12.2015

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR
and

The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.587 of 2015

S.Solla Sundaram

.... Petitioner

Vs.

1. The Inspector of Police,
Valavanthinadu Police Station,
Namakkal District.

2. Kulanthai @ Ponnusamy

.... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the first respondent to produce the body and person of the petitioner's brother's wife Nallammal, aged about 38 years, before this Court and set her at liberty.

For Petitioner : Mr.K.A.Mariappan

For Respondent: Mr.A.N.Thambidurai
No.1 Addl. Public Prosecutor (Crl.Side)

O R D E R

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

This Habeas Corpus Petition is filed by the co-brother of the detainee Nallammal, for a direction to the respondents to produce the detainee before this Court and set her at liberty.

2. It is the case of the petitioner that his late brother's wife had gone missing on 11.11.2014, in connection with which, a case in Crime No.109 of 2014 has been registered by the respondent - police. In spite of registration of the case, respondent - police

have not taken any steps to secure the detainee and hence the present petition.

3. Learned Additional Public Prosecutor, on instruction, submits that investigation is in progress in this case.

4. We find from the records that the respondent-police has issued public notice calling for information about the missing woman.

5. In such view of the matter, even according to the petitioner, the detainee being major, aged 38 years and that she developed intimacy with the second respondent and left the house on her own accord, it cannot be said that it is a case of illegal detention warranting issuance of Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition stands closed, with a direction to the respondent - police to proceed with the investigation in Crime No.109 of 2014 and keep the petitioner informed about the developments.

Sd/-
Asst.Registrar
/true copy/
Sub Asst. Registrar

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To

1. The Inspector of Police,
Valavanthinadu Police Station,
Namakkal District.
2. The Public Prosecutor, High Court, Madras.

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H.C.P.No.587 of 2015

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