

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2015

CORAM

The Honourable Mr.JUSTICE R.SUDHAKAR
and
The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.3302 of 2014

Nalini

.... Petitioner

Vs.

1. The State,
represented by The Commissioner of Police,
Chennai City, Chennai.
2. The State,
represented by
The Deputy Commissioner of Police,
T.Nagar Police District,
T.Nagar, Chennai - 600 017.
3. The State,
rep. by the Inspector of Police,
R-1 Mambalam Police Station,
Chennai - 600 017.

.... Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing
respondents 1 to 3 to produce the body and person of the detenu
Mr.Suresh Kumar aged about 50 years the husband of the
petitioner before this Court and set him at liberty.

For Petitioner : Mr.K.Balaji

For Respondents: Mr.A.N.Thambidurai,
Addl. Public Prosecutor

O R D E R

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

This Habeas Corpus Petition is filed by the wife of the
detenu Suresh Kumar for direction to the respondents to produce
the detenu before this Court and set him at liberty.

2. It is the case of the petitioner that her husband went missing, in connection with which a case in Crime No.1767 of 2014 has been registered by the Inspector of Police, R-1 Mambalam Police Station for man missing and investigation is in progress.

3. The respondent-police have filed a status report dated.05.02.2015 detailing the steps that have been taken by them to secure the alleged detenu. From the Status Report, it is seen that the petitioner's husband was in heavy debts and in order to avoid his creditors, he appears to have gone underground. This fact is also referred to by the petitioner in paragraph 7 of her affidavit.

4. In such circumstances, we are of the view that it is not a case where the alleged detenu is under illegal detention of anyone warranting issuance of Writ of Habeas Corpus. Accordingly, this Petition stands closed, however, with a direction to the respondent police to proceed with the investigation in Crime No.1767 of 2014 and keep the petitioner informed about the developments.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Chennai City, Chennai.
2. The Deputy Commissioner of Police,
T.Nagar Police District,
T.Nagar, Chennai - 600 017.
3. The Inspector of Police,
R-1 Mambalam Police Station,
Chennai - 600 017.
4. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K. Balaji, Advocate sr.63500

H.C.P.No.3302 of 2014

MG(CO)
EU 15.12.15