

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2016

CORAM

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

HCP.No.2553/2015

C.Nathiya .. Petitioner/Wife of the
Detenue

Versus

State rep. by its
The Inspector of Police
W-30, All Women Police Station
Poonamallee, Chennai-56. .. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondent to produce the petitioner's husband/detenu namely Chelladurai before this Court and set him at liberty forthwith.

For Petitioner : Mr.M.Devendran
For Respondent : Mr.A.N.Thambidurai, APP

ORDER

[Order of the Court was made by P.N.PRAKASH, J.,]

The above petition has been filed by the petitioner to cause production of her husband, Chelladurai, who is said to be missing, before this Court and to set him at liberty.

2 It is the case of the petitioner that she has married the detenu Chelladurai on 24.08.2015 and the same was registered before the Sub-Registrar, Poonamallee on 25.08.2015 in Serial No.17/2015 and that he is the childhood lover of her and after marriage, they came to Chennai for avocation. In the meanwhile, it appears that the detenu Chelladurai has informed her that he is going to his native village ; but did not return thereafter. The petitioner came to know that the detenu/her husband was trying to contract marriage with another lady and therefore, she preferred a complaint before the respondent police, in connection with which a case in Cr.No.11/2015 came to be registered for the alleged offences u/s.420, 494, 506[i] IPC and the investigation is in progress.

3 Learned Additional Public Prosecutor submitted that the detenu Chelladurai has approached this Court and obtained anticipatory bail in Cr.No.11/2015 in Cr1.OP.No.24883/2015.

4 From the above narartion of the facts, it is evident that the detenu is not under illegal custody of anyone. Therefore, there is no question of illegal detention of the detenu.

5 Accordingly, the Habeas Corpus Petition is closed as nothing further remains to be considered.

AP

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

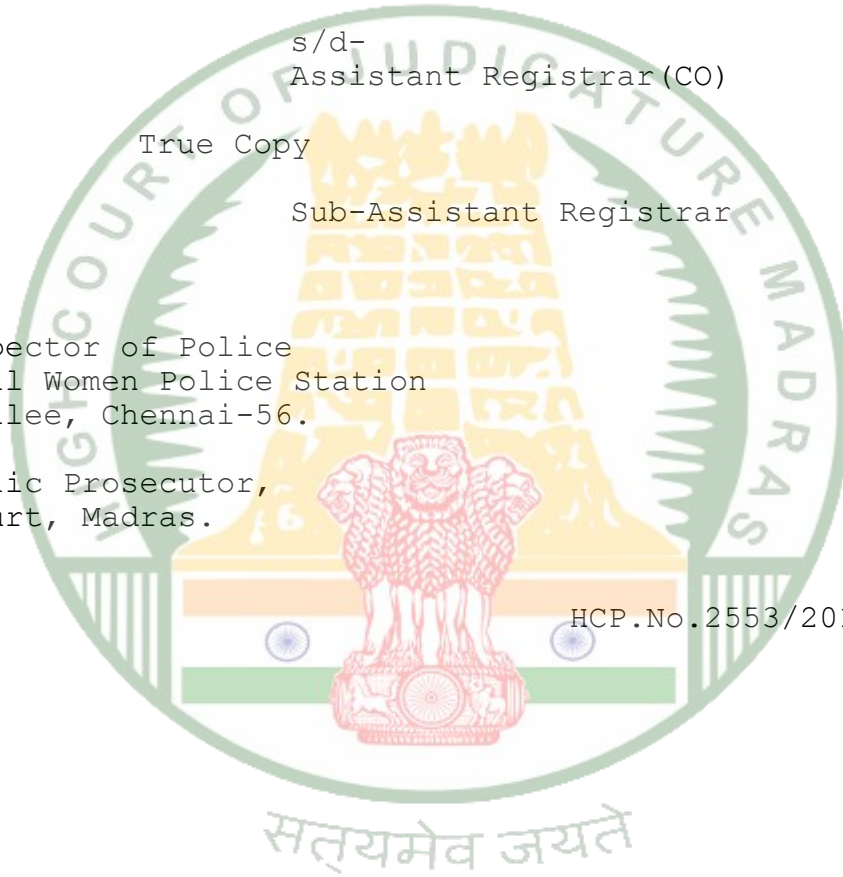
To

1.The Inspector of Police
W-30, All Women Police Station
Poonamallee, Chennai-56.

2.The Public Prosecutor,
High Court, Madras.

sr(co)
prk21/1

HCP.No.2553/2015



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