

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1084 of 2016

BABULAL CHOWDRY

... Petitioner

Vs

1. THE STATE REP. BY
THE COMMISSIONER OF POLICE
CHENNAI CITY CHENNAI-7.
2. THE INSPECTOR OF POLICE(L&O)
K9 THIRU.VI.KA.NAGAR POLICE STATION
CHENNAI.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the petitioner's son Rakesh Chowdry son of Babulal Chowdry aged 20 years before this Court and set him at liberty.

For Petitioner : Mr.M.S.Soundara Rajan

For Respondents : Mr.V.M.R.Rajentren
Additional Public Prosecutor

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner is the father of one Mr.B.Rakesh Chowdry, aged 20 years. According to the petitioner, he has been found missing from 26.03.2016 onwards. In this regard, on a complaint made by the petitioner, a case has been registered in Cr.No.260 of 2016 for 'man missing' on the file of the second respondent. The investigation is in progress. Since the boy has not been secured so far, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondents and also perused the records carefully.

3. The learned Additional Public Prosecutor would submit that the investigation has revealed that Mr. Rakesh Chowdry has eloped with one Bhavani out of love and their whereabouts are not known in this case. In this regard, a complaint was made by the father of the girl before the Madavaram Police Station and also been enquired into.

4. From the above narration of the facts, it is crystal clear that there is no illegal detention of Mr. Rakesh Chowdry. It appears to be a case of elopement and love for the girl. Therefore, no relief as prayed for could be given in this petition and hence, the petition is dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kua

To

1. THE COMMISSIONER OF POLICE
CHENNAI CITY
CHENNAI-7.

2. THE INSPECTOR OF POLICE (L&O)
K9 THIRU.VI.KA.NAGAR POLICE STATION
CHENNAI.

3. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1cc to Mr.M.S.Soundara Rajan, Advocate, S.R.No.34484

H.C.P.No.1084 of 2016

PA(CO)
CA(13/07/2016)