

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1373 of 2016

Selvam .. Petitioner

vs.

The Inspector of Police,
H-6, R.K. Nagar Police Station,
Korukkupet,
Chennai- 600 021.

.. Respondent

Prayer : 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 wife Kani w/o Selvam, aged about 34 years, Jeevaselvam, s/o. Selvam aged about 9 years and Lokesh Selvam s/o. Selvam, aged about 7 years before this Court and set them at liberty forthwith.

For Petitioner	:	Mr.J.B.SolomonPeter Kamaldoss
For Respondent	:	Mr.V.M.R.Rajentren Additional Public Prosecutor

ORDER

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

The petitioner is the husband of one Mrs. Kani. They got two children by name Jeeva Selvam and Lokesh Selvam aged 9 years and

7 years respectively.

2. According to the petitioner, they have been found missing from 15.4.2016 onwards. In this regard, on a complaint made by the petitioner, a case has been registered in Cr.No.569 of 2016 on the file of the respondent police, since they have not been so far traced, the petitioner has come up with this Habeas Corpus Petition.

3. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State and we have also perused the records carefully.

4. The learned Additional Public Prosecutor would submit that during the course of investigation, it is turned out that Mrs. Kani has eloped with one Murugan along with her children and she is hiding elsewhere.

5. In our considered view, since there is no illegal detention and since this is a simple case of elopement, no relief as prayed in this Habeas Corpus Petition could be granted.

6. In the result, the Habeas Corpus Petition is dismissed. However, the respondent police is directed to expedite the investigation.

[S.N.J.] [V.B.D.J.,]

04.08.2016

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Index: Yes/No

To

1. The Inspector of Police,
H-6, R.K. Nagar Police Station,
Korukkupet,
Chennai- 600 021.

2. The Public Prosecutor,
High Court, Madras.

**S.NAGAMUTHU, J.
AND
V.BHARATHIDASAN, J.**

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