

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2016

CORAM

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

H.C.P.No.1391 of 2016

J.Suresh Petitioner

Vs

The Inspector of Police,
S-10, Pallikaranai Police Station,
Pallikaranai, Chennai Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent herein to produce the body or person of the petitioner's wife by name "Pavithra" aged about 28 years w/o Suresh, set her at liberty and restore her to the petitioner's custody.

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

ORDER

(Order of the Court was made by V.BHARATHIDASAN J.)

The petitioner is the husband of one Pavithra aged about 28 years. Alleging that his wife is missing from 15.06.2016, he made a complaint to the respondent police and based on the complaint, a case has been registered in Cr.No.2632 of 2016. Since no steps have been taken to secure the detainee, 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 the respondent.

3. The learned Additional Public Prosecutor would submit that the detainee has eloped with somebody and she is living with him.

4. In the light of the said submission made by the learned Additional Public Prosecutor, we find that it is a case of elopement and as there is no illegal detention we are not in a position to grant relief as prayed for.

5. Therefore, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
S-10, Pallikaranai Police Station,
Pallikaranai, Chennai.

2.The Public Prosecutor, High Court, Madras.

1 cc to Mrs.R.Hemalatha, Advocate, sr.38302

H.C.P.No.1391 of 2016

scd co
kra 27.07.2016

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