

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.7.2016

CORAM

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

H.C.P.No.1415 of 2016

Jayasingh

..... Petitioner

Vs

The State Rep by its
The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chitlapakkam, Chennai-64.

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent to produce the body of petitioner's wife namely Deepa and son Samuel before this Court and set them at liberty.

For Petitioner	:	Mr. S.Pushpakaran
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 husband of one Mrs. Deepa and father of one Samuel, a minor child. It is stated that they have been missing from September 2015. In this regard, the petitioner has made a complaint to the respondent police. They have not been secured so far is his grievance. Therefore, he is before this Court with this Habeas Corpus Petition.

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

3. It is brought to our notice that on earlier occasion, the first detenu along with the second detenu had gone on her own accord and remained elsewhere. At the influence of the police, she was rescued and handed over to the petitioner. Again she has gone out of the matrimonial home. From this statement, it is crystal clear that on account of matrimonial dispute and misunderstanding between the petitioner and the first detenu, she has gone out of the matrimonial home along with the child. Thus, obviously, there is no illegal detention warranting any direction from this Court under the

Habeas Corpus jurisdiction.

4. This Habeas Corpus Petition is therefore, dismissed. However, the respondent police shall continue the investigation.

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(S.N.J.,) **(V.B.D.J.,)**
14.7.2016

To

1. The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chitlapakkam, Chennai-64.

2. The Public Prosecutor,
High Court, Madras.

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

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