

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.8.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1801 of 2016

Smt.S.Sridevi

.. Petitioner

vs.

1.The Inspector of Police,
H.8, Thiruvottiyur Police Station,
Thiruvottiyur, Chennai-600 019.

2. Ms.Sayeera Banu

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents herein to produce the husband of the petitioner S.Sajan, son of Sasi, aged 37 years, before this Court and set him at liberty.

For Petitioner .. Mr.M.Malathi

For Respondents .. Mr.V.M.R.Rajentren,APP

ORDER

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

The petitioner is the wife of one S.Sajan aged 37 years. She got married to the detenu on 01.12.2010. According to the petitioner from 11.12.2015 onwards, the detenu has been found missing. Hence, the petitioner made a complaint before the 1st respondent police on 24.7.2016. Based on the complaint, a case has been registered in Cr.No.1074/16 for 'man missing'. Despite the registration of the complaint, the first respondent is not taking steps to trace the detenu. Hence, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition was taken up for admission, the learned Additional Public Prosecutor on instructions submitted that the detenu is now living with the

2nd respondent, who is the 3rd wife of the detenu.

3. In view of the submissions made by the learned Additional Public Prosecutor, we are convinced that there is no illegal detention as the detenu is living with the 2nd respondent.

4. In the above circumstances, no relief as prayed for in this petition could be granted. Hence, the petition is dismissed. However, the respondent police is directed to continue the investigation and take steps to secure the detenu.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
H.8, Thiruvottiyur Police Station,
Thiruvottiyur, Chennai-600 019.

2. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.G.Murali Advocate sr 48190

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