

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

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

H.C.P.No.1866 of 2016

Prakash

..... Petitioner

Vs

1. The Superintendent of Police,
Thiruvannamalai District.

2. The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District,
Crime No.519 of 2016.

3. Suresh

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents herein to produce the petitioner's wife Parvathi aged about 30 years who was in the illegal custody of the 3rd respondent herein by person or body and hand over to the petitioner.

For Petitioner	:	Mr.S.Silambu Selvan
For R1 & R2	:	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 Parvathi aged 30 years. They got two

children aged 6 years and 4 years respectively. According to the petitioner, his wife has been missing along with the children. In connection with the same, he has made a complaint to the Thiruvannamalai Police Station upon which a case has been registered in Cr.No.519 of 2016 under Section 363 of IPC. The allegation is that the 3rd respondent has kidnapped them. The investigation is under progress. On the ground that the detainee has not been so far secured, the petitioner has come up with this Habeas Corpus Petition.

2. 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.

3. A perusal of the record would go to show that the detainee has eloped with the third respondent and she is hiding elsewhere and there is no illegal detention. Therefore, no relief as prayed for could be granted in this petition. Accordingly, the Habeas Corpus Petition is dismissed.

kua

(S.N.J.,) (V.B.D.J.,)
01.09.2016

To

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District,
3. The Public Prosecutor,
High Court, Madras.

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

kua

H.C.P.No.1866 of 2016

01.09.2016