

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR. JUSTICE S. NAGAMUTHU

H.C.P.No.235 of 2016

R.Vijayalakshmi

... Petitioner

vs.

The Inspector of Police,
Kalianoor Police Station,
Tindivanam Taluk,
Villupuram District

.... Respondent

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondent to produce the corpus of the petitioner's husband (Ravi aged about 45 years), before this Court.

For Petitioner : Mr.D.Mario Johnson

For Respondent : Mr.V.M.R.Rajentren,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by M.JAICHANDREN, J.)

This habeas corpus petition has been filed, by the wife of the detenu, praying that this Court may be pleased to direct the respondent to produce the detenu, namely, Ravi, aged about 45 years, before this Court, and to set him at liberty.

2. The petitioner had stated that the detenu is her husband. He was a driver with Shree Swasthik Travels, Chennai. He has gone missing, from 15.08.2014. Therefore, the petitioner had preferred a complaint, before the respondent, on 7.5.2015 and it had been registered, in Crime No.305 of 2015, as a 'man-missing' case. Since no effective steps had been taken, by the respondent, to trace the detenu, the petitioner had preferred representations before the higher authorities, on 27.1.2016, seeking their intervention. However, as no further steps had been taken by the respondent, to trace the detenu, the petitioner has preferred the present habeas corpus petition, before this Court.

3. A status report, dated 18.3.2016, had been filed on behalf of the respondent, enumerating the steps taken by the respondent, in tracing the detenu.

4. The learned Additional Public Prosecutor, appearing on behalf of the respondent, had submitted that, based on the complaint made by the petitioner, the case has been taken up on file, in Crime No.305 of 2015, as a 'man-missing' case. He had further submitted that all effective steps are being taken, to trace the detenu, who is residing at Coimbatore.

5. In view of the averments made in the status report, filed on behalf of the respondent, dated 18.3.2016, and in view of the submissions made by the learned Additional Public Prosecutor, appearing on behalf of the respondent, we are of the view that no further orders are necessary in the present habeas corpus petition. Hence, the habeas corpus petition stands dismissed. However, it is made clear that the respondent shall continue the investigation and take appropriate steps, to trace the detenu, in accordance with law.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Kalianoor Police Station,
Tindivanam Taluk,
Villupuram District

2.The Public Prosecutor
High Court, Madras.

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skv (CO)
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