

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

H.C.P.No.536 of 2016

V.Veliah

.. Petitioner

vs.

1.The Commissioner of Police,  
The Commissioners Office,  
Poonamallee High Road,  
Vepery, Chennai.

2.State by,  
The Inspector of Police,  
Korattur Police Station,  
Chennai-600 080

3.R.Kumudha

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to call for the records in CSR No.63 of 2016, dated 24.2.2016, on the file of the 2nd respondent and direct the respondents herein to produce petitioner's son named V.Rajasekaran, aged about 52 years, who is in illegal custody of the third respondent herein.

For Petitioner .. Mr.M.Thirumalaikkumaran

For Respondents .. Mr.V.M.R.Rajendran,A.P.P.  
for R1 and R2

O R D E R

(The order of the Court was made by M.SATHYANARAYANAN,J. )

The petitioner is the father-in-law of the third respondent. According to him, his elder son, namely, V.Rajasekaran, got married in the year 1994 and thereafter they lived together for sometime. After some time, there arose a

mis-understanding in the family and on account of the same, his son and daughter-in-law started to live separately. It is also stated that the third respondent used to do many spiritual activities during odd hours and when it was asked, she did not give any proper response. According to the petitioner, his son was found missing for quite some time and he made enquiries with the third respondent, but she was not responding properly and therefore, he had lodged a complaint on the file of the second respondent and based on the same, CSR No.63 of 2016 was registered, on 24.2.2016. According to the petitioner, his son is in the illegal custody of the third respondent. Hence, he came forward to file this habeas corpus petition.

2. Heard the submissions of the learned counsel for the petitioner and Mr.V.M.R.Rajentreen, the learned Additional Public Prosecutor, who takes notice on behalf of the first and second respondents.

3. Admittedly, the third respondent is the wife of the detenu, namely, V.Rajasekaran, and in the light of the facts and circumstances, it cannot be said that the son of the petitioner is in the illegal custody of the third respondent. It is also to be pointed out that based on the complaint given by the petitioner, the second respondent has also registered a case in CSR.No.63 of 2016, on 24.2.2016.

4. In the light of the above facts and circumstances, the second respondent is directed to take further steps in CSR No.63 of 2016, dated 24.2.2016, and inform the progress to the petitioner. The habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar(CCC)

सत्यमेव जयते

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,  
The Commissioners Office,  
Poonamallee High Road,  
Vepery, Chennai.

2.The Inspector of Police,  
Korattur Police Station,  
Chennai-600 080.

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.Thirumalaikumaran, Advocate sr.18576

H.C.P.No.536 of 2016

msm(CO)  
srg(06/04/2016)



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