

In the High Court of Judicature at Madras

Dated: 19.02.2016

Coram:

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

H.C.P.No.285 of 2016

K.Kesavan

.. Petitioner

vs.

1.The Commissioner of Police,
The Greater Chennai,
Vepery, Chennai-600 007

2.The Inspector of Police,
S9,Palavanthangal Police Station,
Chennai-600 114

.. 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 Palavanthangal Police Station Crime Number 352 of 2016, on the file of Inspector of Police, S-9, Palavanthangal Police Station, Chennai-600 114 and to bring the body of the Pavithra, wife of the petitioner, residing at 14, College Road, Palavanthangal, Chennai-600 114, before this Court and to restore her to the petitioner viz., Kesavan, Son of Kothandan, residing at 14, College Road, Palavanthangal, Chennai-600 114.

For Petitioner .. Mr.S.Rajeswaran

For Respondents .. Mr.V.M.R.Rajendran,A.P.P.

O R D E R

(The order of the Court was made by S.NAGAMUTHU,J.)

The petitioner is the husband of one Mrs.Pavithra. According to the petitioner, she has been found missing from 30.1.2016. In connection with the same, a case has been registered in Crime No.352 of 2016, on 7.2.2016, on the file of Palavanthangal Police Station, for woman-missing. Since the detenue has not been traced, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

3. From the records it is seen that on an earlier occasion, Mrs.Pavitha was found missing and in connection with the same, yet another case was registered earlier in the year 2015. Again she has eloped, it appears. Thus, it is crystal clear that it is not a case of illegal detention. We do not find any merit in the matter. Accordingly, the habeas corpus petition is dismissed. However, the petitioner is at liberty to work out his remedies in the manner known to law.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
The Greater Chennai,
Vepery, Chennai-600 007

2.The Inspector of Police,
S9,Palavanthangal Police Station,
Chennai-600 114

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Rajeswaran, Advocate, S.R.No.10708

सत्यमेव जयते

H.C.P.No.285 of 2016

nm(CO)
srg(02/03/2016)

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