

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.7.2016

CORAM

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

H.C.P.No.464 of 2016

Devaki

..... Petitioner

Vs

1. The Superintendent of Police,
Namakkal District, Namakkal.

2. The Deputy Superintendent of Police,
Thiruchengode,
Namakkal District.

3. The Inspector of Police,
Karattupalayam Rural Police Station,
Namakkal District.

4.N.S.K. Senthil

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent herein to produce my husband, Devadoss son of Perumal, 58 years, before this Court and set him at liberty forthwith.

For Petitioner	:	Mr. C.Prabakaran
For R1 to R3	:	Mr.V.M.R. Rajentren
		Additional Public Prosecutor

ORDER

(Order of the Court was made by **S.NAGAMUTHU, J.**)

The petitioner is the wife of one Mr. Devadoss aged about 58 years. According to the petitioner, he has been missing from 24.12.2015. In this regard, she has made a complaint to the police also.

2. It is brought to our notice that in this regard, a case has been registered in Cr.No.93 of 2016 for the 'man missing' and the same is under investigation by the 3rd respondent.

3. Earlier the petitioner filed H.C.P.No.89 of 2016 before this Court, but the said petition was dismissed by order dated 21.1.2016 as it was highly premature. Therefore, the petitioner has again come up with this Habeas Corpus Petition. Mr.S.Lakshmanakumar, Inspector of Police, Tiruchengode Rural Police Station, Namakkal District has filed a detailed counter wherein inter alia, he has stated that the investigation has revealed that as per the instruction of the 4th respondent, the detenu collected a sum of Rs.2,75,000/- from one Gopal, but he did not make any call or intimation to the 4th respondent. Thus, according to the investigation, the detenu is hiding elsewhere with the amount.

4. In our considered view, since there is no illegal detention, no relief as prayed for could be given. It is for the 3rd respondent to further investigate the matter.

With this observation, this petition is dismissed.

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(S.N.J.,) **(V.B.D.J.,)**
20.7.2016

To

1. The Superintendent of Police,
Namakkal District, Namakkal.

2. The Deputy Superintendent of Police,
Thiruchengode,
Namakkal District.

3. The Inspector of Police,
Karattupalayam Rural Police Station,
Namakkal District.

4. The Public Prosecutor,
High Court, Madras.

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

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H.C.P.No.464 of 2016

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