

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.03.2016

CORAM

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

HCP No.607/2016

J.Moorthy

.. Petitioner

Vs

1.The Superintendent of Police
Vellore, Vellore District.

2.The Inspector of Police
Sathuvachari Police Station
Vellore District.

3.Vijayalakshmi
4.Sundar

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus directing the respondents to produce the person or body of the detainee namely Pavithra, wife of J.Moorthy, aged about 23 years, residing at No.452B, Bharathi Nagar, Phase III, Sathuvachari, Vellore, Vellore District, before this Court and set her at liberty.

For Petitioner : Mr.M.Sathish Kumar

For R1 & R2 : Mr.V.M.R.Rajentren
Addl. Public Prosecutor

ORDER

[Judgment of the court was delivered by M.JAICHANDREN, J.,]

This Habeas Corpus Petition, has been filed by the petitioner/husband of the detainee, praying that this Court, may be pleased to direct the respondents 1 and 2 to produce his wife Pavithra, aged about 23 years, who is said to be in the illegal custody of the respondents 3 and 4 herein, before this Court and to set her at liberty.

2 The petitioner had stated that, he is the husband of the detenu Pavithra. He had married the detenu, on 10.02.2016, at Shri Jalagandeswarar Temple, in Vellore District, and the said marriage had been registered in the Office of the Joint Sub Registrar-II, Vellore and a Certificate, bearing Document No.139/2016, had also been issued. While so, the respondents 3 and 4, had abducted her and are keeping the detenu in illegal custody. In such circumstances, the petitioner had lodged a complaint, on 25.02.2016, before the 2nd respondent and since no effective steps have been taken by the 2nd respondent to trace the detenu, the petitioner is before this Court, with this petition.

3 Learned Additional Public Prosecutor, accepting notice on behalf of the respondents 1 and 2, had submitted that the complaint preferred by the petitioner, on 25.02.2016, had been assigned CSR.No.80/2016.

4 In such circumstances, we find it appropriate to direct the 2nd respondent to register the complaint of the petitioner and to investigate the matter and take necessary steps to trace the detenu, in accordance with law.

5 The Habeas Corpus Petition stands dismissed, with the above direction.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Superintendent of Police
Vellore, Vellore District.

2.The Inspector of Police
Sathuvachari Police Station
Vellore District.

3.The Public Prosecutor
High Court, Madras.

+ 1 cc to M/s. M. Sathishkumar, Advocate sR.19782

HCP.No.607/2016

AK(CO)

Eu 25.04.16