



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2016

WEB COPY

CORAM:

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

H.C.P. (MD) No.1203 of 2016

Annakamu : Petitioner

Vs.

1.The State rep. by,
The Superintendent of Police,
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
Madurai District, Madurai.

3.The Inspector of Police,
Chekkanurani Police Station,
Madurai, Madurai District.

4.Bharathi

5.Perumal : Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 and 3 to produce the body or corpus of the petitioner's husband, namely, Jayaraman, S/o. Pinnathevar, aged about 40 years, before this Court by securing him from the illegal custody of the fourth and fifth respondents and their family and set him at liberty forthwith.

For Petitioner : Mr.O.D.Rajkumar

For Respondents 1to3 : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of one Mr.Jayaraman. According to the petitioner, Mr.Jayaraman is found missing. She has further



stated that the detenu has eloped with the fourth respondent. Since he has not been secured, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the State. We have also perused the records carefully.

3. From the averments made in the affidavit filed in support of the petition, it is crystal clear that it is not a case of any illegal detention. It is also crystal clear that the detenu has eloped with the fourth respondent on his own volition. Since there is no illegal detention, we cannot grant any relief as prayed for in this Habeas Corpus Petition. Hence, the petition deserves to be dismissed and accordingly, the same is dismissed.

Sd/
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Madurai District,
Madurai.
- 2.The Deputy Superintendent of Police,
Madurai District, Madurai.
- 3.The Inspector of Police,
Chekkanurani Police Station,
Madurai, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P. (MD) No.1203 of 2016
Dated:
06.09.2016

SMA/SKS-RR/15/09/2016 :2P/5C