

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.105 of 2017

M.Kannadasan ... Petitioner

Vs

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

2.The Inspector of Police,
Udayarpalayam Police Station,
Udayarpalayam, Ariyalur District.

3.K.Manikandan ... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ order or direction in the nature of a writ of HABEAS CORPUS PETITION, directing the respondents 1 and 2 to produce the body and person of the petitioner's wife, by name, Vijaya W/o.Kannadasan, aged about 35 years, who is under the illegal custody of the 3rd respondent before this Court and set her at liberty forthwith.

For Petitioner : Mr.S.Rajanikanth

For Respondents: Mr.V.M.R. Rajendran
Addl. Public Prosecutor

JUDGMENT

[Judgment of the court was delivered by S. NAGAMUTHU,J.,]

The petitioner is the husband of one Mrs.Vijaya, the detenu herein, aged about 35 years. It is alleged by the petitioner that Mrs.Vijaya has been found missing from 18.10.2016 onwards and she is in fact illegally detained by the third respondent. Therefore, he has come forward with this Habeas Corpus Petition.

2.It is submitted by the learned Additional Public Prosecutor that the enquiry by the respondent Police has revealed that the detenu has eloped with the third respondent, who is hardly aged 20 years and they were settled elsewhere and

their whereabouts are not known.

3.We are not convinced that it is a case of illegal confinement but it is a case of elopement of a woman aged 35 years with a boy aged 20 years. Therefore, we find it difficult to grant the relief sought for by the petitioner. Hence, the Habeas Corpus Petition is dismissed. No costs.

-s/d-
Assistant Registrar(CSIV)

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Ariyalur District, Ariyalur.
- 2.The Inspector of Police,
Udayarpalayam Police Station,
Udayarpalayam, Ariyalur District.
- 3.The Public Prosecutor,
High Court, Chennai

H.C.P.No.105 of 2017

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