

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2017

CORAM

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

H.C.P.No.319 of 2017

A.Sivakumar

...Petitioner

vs.

1. State rep by Inspector of Police,
Bhavani Police Station,
Erode District.

2. Mr.Chandrasekar

....Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus to direct the respondents to produce the body and person of the detenu by name Tamilarasi aged 20 years Daughter of R.Murugesan and set her at liberty now under the illegal detention of the 2nd respondent and restore her to the custody of the petitioner herein.

For Petitioner .. Mr.V.Murugesan

For R1 .. Mr.V.M.R.Rajentren,
Additional Public Prosecutor

For R2 .. No appearance

O R D E R

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

The petitioner is the husband of one Mrs.Tamilarasi aged 20 years. They have got two children out of the said wedlock. According to the petitioner, Mrs.Tamilarasi has been found missing from 22.12.2016 onwards. In this regard, the petitioner has made a complaint to the first Respondent. But, sofar, she has not been traced is his grievance.

2.The learned Additional Public Prosecutor appearing for the State would submit that the investigation has revealed that the detenu/Mrs.Tamilarasi has eloped with one Mr.Chandrasekar, second Respondent herein and they are hiding elsewhere. The wife of the second respondent has also made a complaint to some other Police Station alleging that the second respondent is missing. Thus, according to the learned Additional Public Prosecutor, efforts are being taken to trace out both Mrs.Tamilarasi as well as the second respondent.

3.From the above statement, since, we are convinced that there is no illegal detention and this is the case of elopment, no relief is prayed for by the petitioner could be granted.

4.In the result, this Habeas Corpus Petition is dismissed. However, with a direction to the respondent Police to expedite the investigation.

Sd/-
Deputy Registrar

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Sub Assistant Registrar

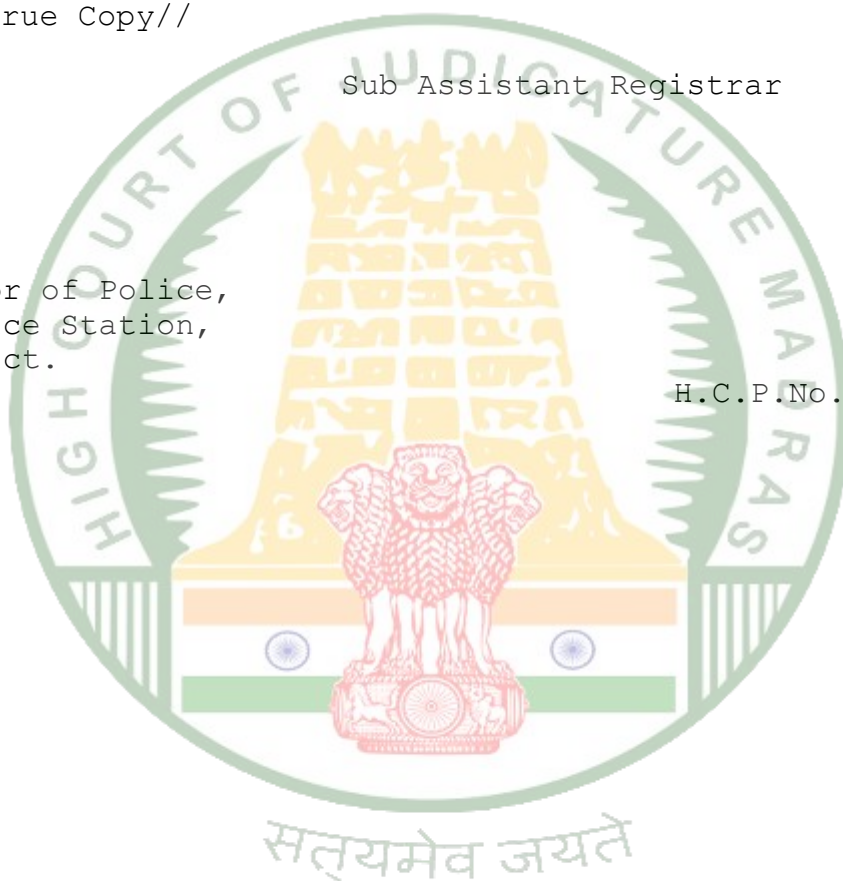
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To

The Inspector of Police,
Bhavani Police Station,
Erode District.

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SR(CO)
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