

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2017

CORAM

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

H.C.P No.2025 of 2016

Selvaraj ... Petitioner

Vs

1. The Inspector of Police,
Thirunaavalur Police Station,
Villupuram District
 2. The Superintendent of Police,
Villupuram District
(Impleaded as 2nd respondent
as per Order of this Court dt.
21.09.2016 in CrI.M.P.No.10008/16
HCP no.2025/16)
- ... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus of any other writ of direction to direct the respondents to produce Mrs.Selvarani and daughter Narmada before this Court.

For Petitioner : Mr.Andrew Vivek Manoah

For respondents : Mr.V.M.R. Rajentren
Addl. Public Prosecutor

ORDER

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

The petitioner is the husband of one Mrs.Selvarani. They have got a daughter by name Narmada. According to the petitioner, Mrs.Selvarani along with her daughter Narmada have been found missing from 10.04.2016 onwards. In this regard, a complaint has been given to the first respondent, but no action has been taken. This is the grievance of the petitioner.

2. The learned Additional Public Prosecutor submitted that Mrs.Selvarani has eloped with one Murugan, who is an accused in connection with a case registered for the offence under Sec.302 IPC and their whereabouts are not known. According to him, it is not a case of illegal detention, but it is a case of elopement.

3. In view of the submissions made by the learned Additional Public Prosecutor, we are satisfied that it is not a case of illegal detention and it is a case of elopement. Therefore, we are unable to grant the relief as sought for in this petition. However, the respondents shall continue the investigation. With the above observation, the habeas corpus petition is dismissed.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

sr/av

To

1. The Inspector of Police,
Thirunavalur Police Station,
Villupuram District
2. The Superintendent of Police,
Villupuram District
3. The Public Prosecutor, High Court, Chennai.

+1cc to Mr.Andrew Vivek Monoah, Advocate sr.18528

सत्यमेव जयते

H.C.P.No.2025 of 2016

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