

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.03.2017

CORAM

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

H.C.P No.2330 of 2016

Peruma .. Petitioner

Vs

1. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Singarapettai Police Station,
Singarapettai,
Krishnagiri District.
3. Kamatchi
4. Doss
5. Annamalai

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2, to produce the petitioner's son, namely, Manikandan, aged about 19 years, before this Hon'ble Court and pass any other order as this Hon'ble Court may deem fit for the facts and circumstances of the case and thus render justice.

For Petitioner : Mr.K.Thiruvengadam
For RR1 & 2 : Mr.V.M.R. Rajentren
Additional Public Prosecutor
For R.3 : Not ready in notice.
For R4 & R5 : Ms. C. Kousalya Devi

O R D E R

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

The petitioner is the mother of one Mr.Manikandan, aged 19 years. According to the petitioner, Mr.Manikandan has been found missing from 11.01.2016 onwards. The same is under investigation. Since, the detenu has not been secured by the Police, the petitioner has come up with this Habeas Corpus Petition.

2.In the status report filed by the second respondent today, it is stated that the detenu had eloped with the third respondent herein taking the children of the third respondent also. On a complaint made by the husband of the third respondent, a case has been registered in Crime No.50/2016 on the file of the second respondent Police. While doing investigation in Crime No.50/2016, search is on both for the detenu as well as the third respondent. But, so far, they have not been secured.

3.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and we have also perused the records carefully.

4.From the narration of the facts, it is crystal clear that there is no illegal confinement of the detenu. This is a case of elopement of the detenu with the third respondent herein. The investigation is in progress. Therefore, no relief as prayed for by the petitioner could be granted.

5.In the result, the Habeas Corpus Petition is dismissed however, with a direction to the respondent Police to expedite the investigation.

Sd/-

Assistant Registrar

//True Copy//

jbm/jer

Sub Assistant Registrar

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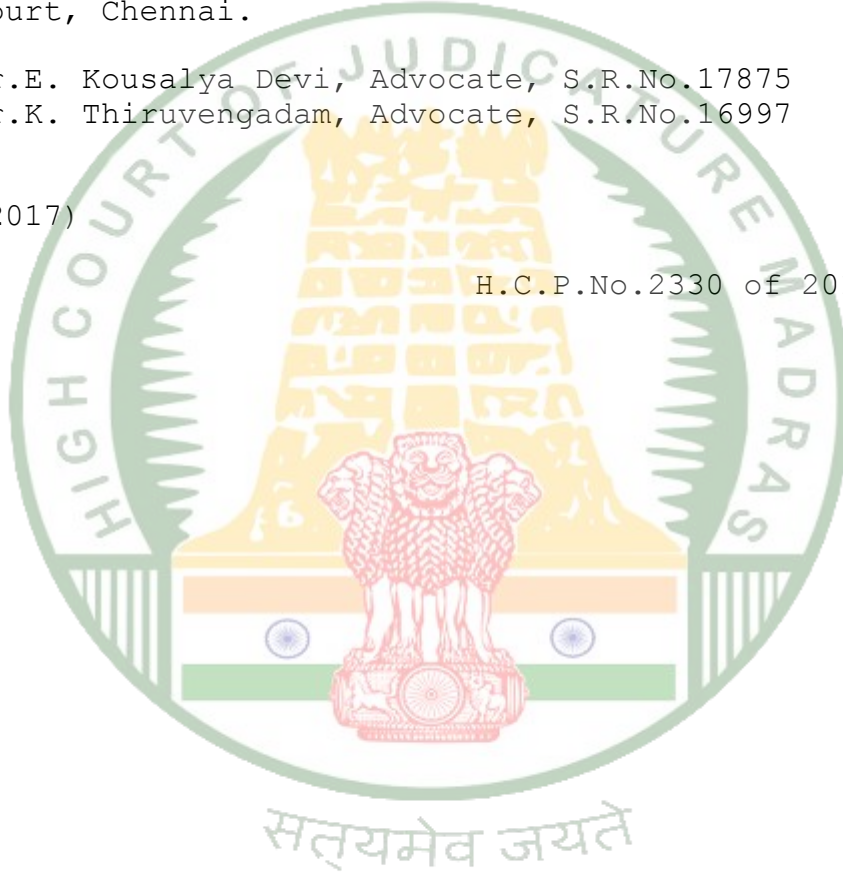
To

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

+1cc to Mr.E. Kousalya Devi, Advocate, S.R.No.17875
+1cc to Mr.K. Thiruvengadam, Advocate, S.R.No.16997

sk(CO)
md(06/04/2017)

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