

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2017

CORAM:

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

H.C.P.NO.2641 OF 2016

Govindakumar

..Petitioner

vs.

1.State,rep.

The Superintendent of Police,
Vellore District,
Vellore.

2.The Inspector of Police,
Natarampalli Police Station,
Natarpalli,
Vellore District

3.Ramesh

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the second respondent herein to produce the body and person of the detinue namely Nithiya, aged 33 years, wife of the petitioner and Santhiya, aged 12 years, daughter of the petitioner and Harini, aged 5 years, daughter of the petitioner herein before this Court and set them at liberty.

For Petitioner .. Mr.J.Milton Arul Rajendran

For Respondents .. Mr.V.M.R.Rajentren,Addl.P.P.
for R1 and R2

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O R D E R

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

The petitioner is the husband of one Mrs.Nithiya, aged 33 years. They have got two children by name, Santhiya, aged 12 years and Harini, aged 5 years. According to the petitioner, Mrs.Nithiya along with the children are found missing. It is further stated that the third respondent is illegally detaining them.

2. When the matter was taken up, the learned Additional Public Prosecutor submitted that during investigation it came to light that Mrs.Nithiya eloped with the third respondent on her own volition along with the children and she is living elsewhere.

3. In view of the above submission, since there is no illegal confinement and it is a case of elopement, we are not able to grant the relief as prayed for. Accordingly, this habeas corpus petition is dismissed. However, the respondent police shall continue with the investigation.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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

2.The Inspector of Police,
Natarampalli Police Station,
Natarpalli,
Vellore District

3.The Public Prosecutor,
High Court, Madras.

4+1cc to Mr.J. Milton Arul Rajendran, Advocate Sr. 15097/17

H.C.P.No.2641 of 2016

SV(CO)
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