



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1183 of 2017

M.Murugesan

... Petitioner

-vs-

1. The Superintendent of Police,
Theni District.

2. The Inspector of Police,
Kombai Police Station,
Theni District.

... Respondents

PRAYER: 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 body of the detenu Parthiban, aged about 27 years, S/o.M.Murugesan, who is found missing from 24.06.2017 before this Court and set him at liberty.

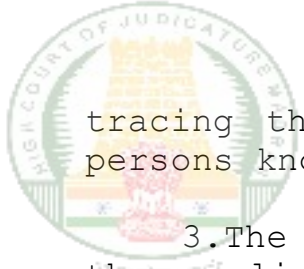
For Petitioner : Mr.R.Venkateshwar
For Respondents : Mr.T.Mohan
Additional Public Prosecutor

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner is the father of the detenu seeking to produce the detenu said to have missing from 24.06.2017 onwards.

2.The learned Additional Public Prosecutor produced a records, which would show that the detenu was missing on an earlier occasion and on a complaint given by his wife Vaira Silai, after much difficulties, he was brought in. It appears that he was having an affair with some other lady and eloped in Calcutta. Accordingly, he was got from Calcutta, enormous steps have been taken and for taking such exercise, including vide publication, verified from the different hospitals from the dead bodies,



tracing the mobile phone used by him and engaging other police persons knowing the Hindi Language.

3.The records would reveal that this is a case of elopement as the earlier petition was filed by the wife of the detenu in H.C.P.No.167 of 2017. Now the present petition has been filed by the father of the detenu.

4.The learned Additional Public Prosecutor, on instruction given by the respondents, would submit that the detenu once again eloped with very same lady and appears somewhere in Calcutta.

5.In such view of the matter, the Habeas Corpus Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Theni District.
2. The Inspector of Police,
Kombai Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

AM/CP

PSM/GT/SAR1/24.08.2017/2P/4C

H.C.P. (MD) No.1183 of 2017

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