

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.07.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. NO.1251 OF 2018

A.Vinitha

.. Petitioner

- Vs -

1. The Commissioner of Police,
O/o. Commissioner Officer,
E.V.K.Sampath Salai,
Veppery, Chennai - 600 007.
2. The Sub Inspector of Police,
(Law & Order)
P-2, Police Station,
Otteri, Chennai - 600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents to produce detenu namely R.Arun Sanjay, who is aged about 30 years, before this Court.

For Petitioner : Mr.M.Murugesan

For Respondents: Mr. R.Prathap Kumar, APP

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

This Habeas Corpus Petition has been filed by the wife of the detenu, seeking direction to the respondents to find out the whereabouts of her husband, namely, R.Arun Sanjay, aged about 30 years and produce him before this Court.

2. It is submitted by the learned Additional Public Prosecutor that based on the complaint dated 19.06.2018, preferred by the petitioner, a case has been registered under the head of "man missing" in Crime No. 432 of 2018.

3. The learned Additional Public Prosecutor has also submitted a status report, wherein, it has been stated that the detenu is an accused in C.C.B. Crime No.277 of 2018; the allegation against the detenu is that he has misappropriated the money to the tune of Rs.1.73 crores.

4. Under such circumstances, the contention of the learned Additional Public Prosecutor that this Habeas Corpus Petition is used as a tool to escape from the clutches of law cannot be ruled out.

5. In view of the above, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (CS VII)

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Sub Assistant Registrar

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To

1. The Commissioner of Police,
O/o. Commissioner Officer,
E.V.K.Sampath Salai,
Veppery, Chennai - 600 007.
2. The Sub Inspector of Police,
(Law & Order)
P-2, Police Station,
Otteri, Chennai - 600 002.
3. The Public Prosecutor,
Madras High Court,
Chennai - 104.

+1cc to Mr.M.Murugesan, Advocate SR.No.47282

H.C.P. NO.1251 of 2018

PA(CO)
GN(24/08/2018)