

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2018

CORAM

THE HONOURABLE Dr.JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.Nos.134 and 587 of 2018

H.C.O.P.No.134 of 2018

Sundar ... Petitioner/Complainant

versus

1. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
2. The Sub Inspector of Police,
Vadavanakkambadi Police Station,
Thiruvannamalai District.
3. Elumalai
4. Subramani
5. Saridha
6. Sankar

... Respondents

Hebeas Corpus Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of Hebeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's wife by name "Geetha" aged about 22 years and set her at liberty and restore her to the petitioner's custody.

For Petitioner :Mr.R.Balakrishnan
For R1 and R2 :Mr.R.Prathap Kumar
Additional Public Prosecutor

H.C.O.P.No.587 of 2018

R.Poongodi

... Petitioner/Mother
of the Detenue.

versus

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

2. The Inspector of Police,
Ponnur Police Station,
Ponnur, Thiruvannamalai District.

3. Elumalai ... Respondents

Hebeas Corpus Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of Hebeas Corpus, to direct the respondents to produce the petitioner's son, namely, Elumalai, S/o.Rajaram, aged 23 years, who is in illegal custody of 3rd respondent, before this Court and set him at liberty.

For Petitioner :Mr.P.Pugalenthil.
For R1 and R2 :Mr.R.Prathap Kumar
Additional Public Prosecutor

COMMON ORDER

DR.S.VIMALA, J.,

H.C.P.No.134 of 2018 has been filed by one Sundar/husband of the detenue, seeking direction to the respondents 1 and 2 to produce his wife, namely, Geetha, before this Court.

2. Heard both sides and perused the materials placed before this Court.

3. In the complaint given by Sundar, the petitioner in H.C.O.P.No.134 of 2018, it is very clearly stated that the marriage between him and the detenue had taken place on 08.09.2017 at S.K.Thirumana Mandapam, Arani Road, Vandavasi Town and later, on 09.12.2017, his wife has left the matrimonial house, after leaving the mangalsutra and other articles.

3.1. Therefore, there is a clear indication that the wife has abandoned the company of the petitioner in H.C.P.No.134 of 2018 and it is not a case of missing and it is not also a case of somebody keeping the detenue in illegal custody.

4. There is a suspicion as against Elumalai, the 3rd respondent in H.C.P.No.134 of 2018, who was also missing, in respect of which, another Habeas Corpus Petition filed by the mother of Elumalai is pending in H.C.P.No.587 of 2018.

5. In H.C.O.P.No.587 of 2018, it is submitted by the learned Additional Public Prosecutor that a special team has been formed by the Inspector of Police to find out Elumalai and Geetha.

6. As the special team has been formed by the respondent Police to trace out Elumalai and Geetha, it is open to the respondents to proceed further in accordance with law. As and when the detainee Geetha is traced out, the respondent shall intimate the same to the petitioner in H.C.P.No.134 of 2018.

7. With these observations, both the Habeas Corpus Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
2. The Sub Inspector of Police,
Vadavanakkambadi Police Station,
Thiruvannamalai District.
3. The Inspector of Police,
Ponnur Police Station,
Ponnur, Thiruvannamalai District.
4. The Public Prosecutor, High Court, Madras-104.

+1cc to Mr.P.Pugalenth, Advocate, S.R.No. 39178
+1cc to Mr.R.Balakrishnan, Advocate, S.R.No. 38794

H.C.P.Nos.134 and 587 of 2018

CA(CO)
BM 13/07/2018