

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2018

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
&
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.1875 of 2017

Rajamanickam

... Petitioner

Vs.

1.State Rep. by
Superintendent of Police,
Cuddalore.

2.The Inspector of Police
Pennadam Police Station
Cuddalore District.

3.Dharmaraj

4.Marudhamuthu

5.Vairam

... 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 detainee Rajalakshmi, daughter of Rajamanickam now under the custody of the respondents 3, 4 and 5 before this Court and set her at liberty.

For Petitioner : Mr.Muthukrishnan for Mr.M.Velmurugan

For Respondents : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor for R1 & R2.

Mr.Tamilvanan for R4 & R5

O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J)

1. Despite our direction to the petitioner to appear in Court on two (2) occasions, the petitioner has not remained

present in Court. The direction, in that behalf, was issued on 06.11.2017 and 24.11.2017.

2. As noticed in our order dated 06.11.2017, the incident pertains to 05.02.2004.

3. The petitioner claims that his daughter i.e., Ms.Rajalakshmi, is in the custody of respondent Nos.3 to 5.

3.1. It is the allegation of the petitioner that respondent No.3, i.e., Mr.Dharmaraj, kidnapped his daughter Ms.Rajalakshmi/the detainee.

4. It appears that a police complaint was filed, which was registered as C.S.R.No.16 of 2004.

5. We may note that respondent No.4, i.e., father of respondent No.3 is present in Court.

6. The record shows that on 06.11.2017, a status report was filed. Though, on the very date, the learned Additional Public Prosecutor had sought further time, perhaps, to file a fresh status report, there is no fresh status report on record.

7. We have interacted with respondent No.4. He says that respondent No.3 is not in touch with him. It appears that the detainee/Ms.Rajalakshmi, and respondent No.3 have decided to live their own lives away from close relatives.

8. The fact that the petitioner, who is the father of the detainee/Ms.Rajalakshmi, has approached the Court, after nearly 14 years, shows that he, evidently, had very little interest in finding the detainee/Ms.Rajalakshmi.

9. In these circumstances, we are inclined to close the petition.

10. Accordingly, this petition is closed. The petitioner, however, will be free to pursue the complaint filed with the second respondent.

Sd/--

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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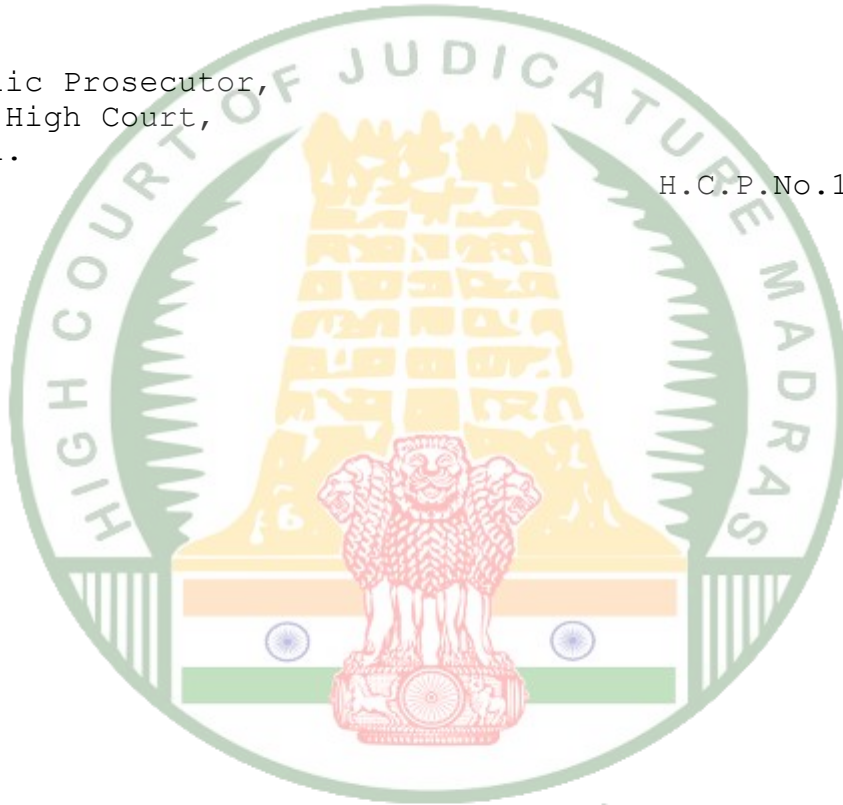
To

1.The Superintendent of Police,
Cuddalore.

2.The Inspector of Police
Pennadam Police Station
Cuddalore District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

H.C.P.No.1875 of 2017



02.01.2018

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