

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30.07.2018

CORAM

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

H.C.P. NO. 754 OF 2018

M.Priya

.. Petitioner

- Vs -

1. The Commissioner of Police
Greater Chennai
Egmore, Chennai.
2. The Inspector of Police
Guindy Police Station
Chennai.
3. Jacob

.. 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 the body of the detenu, Manivannan, S/o Raja, aged 35 years, husband of the petitioner, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr. R.Ganesh

For Respondents: Mr. R.Prathap Kumar, APP

ORDER

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

The petitioner, the wife of the detenu, has filed the present petition, seeking a direction to the respondents to produce her husband, Manivannan, aged 35 years, before this Court and set him at liberty.

2. In the supporting affidavit, it is stated that on 18.3.17, in the evening morning hours, the petitioner's husband went to the office and after the shift was over, he did not return home. It is further stated that he was in the habit of consuming alcohol while he used to return home from office and that he was also not regular in returning from office. The petitioner, therefore, preferred a complaint to the Inspector of Police, Ennore Police Station, on 23.3.17 and the petitioner was directed to go before the J-3, Guindy Police Station and, thereafter, a complaint was given to J-3, Guindy Police Station.

Originally, CSR was furnished and, thereafter, a case has been registered in Crime No.2027/2017 on 16.6.17. It is claimed that the respondents have not taken any action in trying to locate the detenu and, therefore, the present petition has been filed for the above relief.

3. The earlier Bench had, vide order dated 5.6.18, directed the 2nd respondent to enquire the 3rd respondent and file a report. Accordingly, a status report has been filed today by the J-3 Police Station, Guindy. In the status report, the efforts taken by the police for tracing out the detenu has been enlisted. Apart from that, the 3rd respondent, who is the owner of the company in which the detenu is said to have been employed, viz., Carpet Indian Services, Manpower Agency, was also enquired from which it is evident that the detenu came to office in a drunken state and, therefore, he was terminated from the job and, thereafter, the detenu, along with his wife went and requested for job and after obtaining an apology letter from the detenu, the 3rd respondent gave him the job.

4. From a careful perusal of the status report, this Court is satisfied tht the investigation is going on proper lines. In such circumstances, the respondents 1 and 2 shall continue the investigation and during the course of investigation, if they come to know about the whereabouts of the detenu, the same shall be intimated to the petitioner.

5. With the above observations and directions, this habeas corpus petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

GLN

To

1. The Commissioner of Police
Greater Chenna, Egmore, Chennai.
2. The Inspector of Police
Guindy Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr. R. Ganesh, Advocate Sr.51203

H.C.P. NO.754 OF 2018

KJI (CO)

EU (20/08/2018)

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