

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2018

CORAM:

THE HONOURABLE Mr.JUSTICE C.T.SELVAM
and
THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

H.C.P.No.2015 of 2018

S.Magesh

... Petitioner

-Vs-

1. The Commissioner of Police,
No.132, E.V.K.Sampath Road,
Vepery, Chennai-600 007.
2. The Deputy Commissioner of Police,
R-1 Mambalam Police Station,
1st Floor, Madley Road, T.Nagar,
Chennai-600 017.
3. The Assistant Commissioner of Police,
R-8 Vadapalani Police Station,
Chennai-600 026.
4. The Inspector of Police,
R-8 Vadapalani Police Station,
Chennai-600 026.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to secure and produce S.MURUGAN, before this Hon'ble Court and set at liberty.

For Petitioner : Mr.B.A.Prakash

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

The petitioner, who is the wife of the detenu viz.,
S.Murugan, sought production of her husband.

2. Heard learned counsel for petitioner as also learned Additional Public Prosecutor for respondents.

3. A case was registered against the detenu/husband of the petitioner in Crime No.486 of 2018 on the file of R8 Vadapalani Police Station stands altered to reflect for offence u/s 420 IPC.

4. Learned Additional Public Prosecutor submits that an earnest search is on to trace the detenu.

5. In the circumstance, the detenu, whose production is sought is in effect fleeing from justice and hence, this Court would consider this petition not maintainable.

6. Accordingly, this Habeas Corpus Petition is dismissed as not maintainable.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
No.132, E.V.K.Sampath Road,
Vepery, Chennai-600 007.
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4. The Inspector of Police,
R-8 Vadapalani Police Station,
Chennai-600 026.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.2015 of 2018

ssv(co)
nr 18/12/2018