

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.213 of 2019

M.Raman Petitioner

Vs

1.State Rep by its
The Station House Officer,
Kottucherry Police Station,
Karaikal, Pondicherry.

2.K.Adithan Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the first respondent to produce the body of the detainee namely Mrs.Chitra W/o.Raman aged about 42 years before the Hon'ble Court and set her at liberty.

For Petitioner .. Mr.K.Aswin
for M/s.Dass and Viswa Associates

For R1 .. Mr.D.Bharatha Charkravathy,
Public Prosecutor.(Puducherry)

For R2 .. Mr.A.S.Baalaji

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

This habeas corpus petition has been filed seeking to direct the first respondent to produce the body of the detainee namely Mrs.Chitra W/o.Raman aged about 42 years before the Hon'ble Court and set her at liberty.

2. The petitioner is the wife of the detainee. The 2nd respondent is none other than the brother of the detainee. There appears to be a dispute with regard to the marriage proposal of the daughter of the detainee with the brother the 2nd respondent who is also incidentally the brother of the detainee. According to the petitioner, the detainee is in the custody of the 2nd respondent.

3. The learned Additional Public Prosecutor submitted that the detainee is not with the 2nd respondent. Efforts have been made to secure the presence of the detainee who has left the matrimonial home on her own volition in view of the dispute as aforesaid.

4. In the light of the above, we do not find any illegal detention of the detainee on the part of the 2nd respondent and the Habeas Corpus Petition is accordingly closed. We, however, direct the 1st respondent to continue with the further investigation in accordance with law in tracing the detainee.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

smv/kmk

To

1. The Station House Officer,
Kottucherry Police Station,
Karaikal, Pondicherry.
2. The Public Prosecutor,
High Court, Chennai - 104.

+1cc to M/s.Dass and Viswa Associates , Advocate SR.No.
46666

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A.SK(27/06/2019)