

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH  
and  
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 1960 of 2018

G.Bhavani

... Petitioner

-vs-

1.The Commissioner of Police  
Salem City,  
Salem District.

2.The Inspector of Police,  
All Women Police Station,  
Salem, Salem District.

3.Sounder

.... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the first and second respondents to secure the detenu Manikandan, son of Soundar, now confined by the third respondent herein and produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Prathap Kumar  
: Addl. Public Prosecutor  
for R1 and R2

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Alleging that the petitioner is the wife of the detenu, a complaint was given and on the failure of the first and second respondents to secure the detenu, the present Habeas Corpus Petition has been filed.

2. The learned Additional Public Prosecutor submitted the fact that the petitioner is the wife of the detenu is itself in

dispute. In fact, the detenu has given a subsequent complaint in Cr.No. 6/2018 for the alleged offence under Sections 417, 420 and 506(ii) IPC in which, the detenu has been arrayed as A1. The detenu is at present working in Indonesia.

3. From the aforesaid statement, we are of the view that there is no illegal detention involved inasmuch as the petitioner herself has given the complaint against him in Cr.No 6/2018.

4. In such view of the matter, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Commissioner of Police  
Salem City,  
Salem District.

2.The Inspector of Police,  
All Women Police Station,  
Salem, Salem District.

3.The Public Prosecutor,  
High Court, Madras.

H.C.P. No. 1960 of 2018

Rgn (CO)  
CB(01/11/2019)

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