

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2019

Coram

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

H.C.P.No.35 of 2018

G.Ragaiah

Petitioner

Vs

1.The Inspector of Police,
Mahakavi Bharathiyar Nagar
Police Station, Chennai District.

2.Udayashankar

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, directing the first respondent to produce the body of G.R.Srividya, aged about 29 years, daughter of petitioner before this Court and set her at liberty.

For Petitioner.. Mr.P.Saravanan

For Respondents.. Mr.C.Iyyappa Raj,
Addl. Public Prosecutor for R1
Mr.J.C.Duraiaraj for R2

ORDER

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

Petitioner is the father of the detainee, who is stated to be missing from 22.08.2009 onwards. Based on the complaint given, a case was registered in Crime No.637 of 2009. As the detainee could not be traced even thereafter, the present petition has been filed.

2.Learned Additional Public Prosecutor, on instructions, submitted that despite the efforts made, the detainee could not

be traced. It is a case of elopement and efforts are still on.

3.Though the petitioner has given a complaint in the year 2009, he pursued the matter only in the year 2017. Prima facie, it appears to be a case of elopement. It is not as if the first respondent is not taking any action. However, the detainee could not be secured till now. Thus, under those circumstances, we are not inclined to keep this petition pending any longer.

4.In view of the same, the Habeas Corpus Petition stands closed. However, the first respondent is directed to continue with the investigation and as and when the detainee is secured, she shall be produced before the jurisdictional Magistrate.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Inspector of Police,
Mahakavi Bharathiyar Nagar
Police Station, Chennai District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Saravanan, Advocate sr.60662

सत्यमेव जयते

H.C.P.No.35 of 2018

nr 26/08/2019

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