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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.49 of 2018

V.Saivarsha

.. Petitioner

Vs

1.The Commissioner of Police,
O/o.Commissioner of Police,
E.V.K.Sampath Salai,
Veppery, Chennai - 7.

2.The Sub Inspector of Police,
S10, Pallikaranai Police Station,
Chennai - 100.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, directing the respondents police to produce the detenu namely G.Venkatesan who is aged about 32 years before this Court.

For Petitioner .. Mr.M.Murugesan

For Respondents.. Mr.C.Iyyappa Raj,
Addl. Public Prosecutor

ORDER

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

Seeking a direction to the respondents to produce the detenu G.Venkatesan, aged about 32 years and set him at liberty, the present habeas corpus petition has been filed.

2.The petitioner claiming to be the wife of the detenu has filed this petition inter alia alleging that he has been missing from 2017 onwards.



3.Learned Additional Public Prosecutor, on instructions, submitted that fearing threat from the debtors, the detenu has escaped and his whereabouts is still not known.

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4.We are not inclined to keep this petition pending any longer as the detenu is stated to have left on his own volition. Thus, the Habeas Corpus Petition stands closed. However, we direct the respondents to proceed with the investigation and as and when, the detenu is secured, he should be produced before the concerned jurisdictional Magistrate.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mmi

To

- 1.The Commissioner of Police,
O/o.Commissioner of Police,
E.V.K.Sampath Salai,
Veppery, Chennai - 7.
- 2.The Sub Inspector of Police,
S10, Pallikaranai Police Station,
Chennai - 100.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.49 of 2018

NRJK(CO)
GMY(07/08/2019)