

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

Coram

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

H.C.P.Nos.1100 & 1202 of 2019

1. P.Baskaran ... Petitioner in HCP.No.1100 of 2019
2. R.Shanthi ... Petitioner in HCP.No.1202 of 2019

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. The Inspector of Police,
Arachalur Police Station,
Erode District. ... Respondents in Both HCPs.

Prayer in HCP.No.1100 of 2019

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the respondents to produce the body and person of petitioner's wife Umamaheshwari, aged 28 years, Wife of P.Baskaran and set the detenu at liberty forthwith.

Prayer in HCP.No.1202 of 2019

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 2nd respondent to produce the body and person of petitioner's son R.Mohanraj, aged 24 years, son of Ramasamy before this Court and set the detenu at liberty forthwith.

For Petitioner
[In HCP.No.1100 of 2019]

.. Mr.R.Prabakar

For Petitioner
[In HCP.No.1202 of 2019]

.. Mr.K.A.Vimalkumar

For Respondents
[both HCPs]

.. Mr.R.Prathap kumar
Additional Public Prosecutor

ORDER

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

The Habeas Corpus Petition in H.C.P.No.1100 of 2019 has been filed by the husband of the detenue - Umamaheswari and Habeas Corpus Petition in H.C.P.No.1202 of 2019 has been filed by the mother of the detenu - R.Mohanraj.

2. It appears that both the detenues were having affair with each other and thereafter eloped.

3. In view of the above, we find no illegal detention involved. Thus, these Habeas Corpus Petitions stand dismissed. We, however, direct the 2nd respondent - Inspector of Police, Arachalur Police Station, Erode District, to proceed with the investigation to trace the missing detenues and as and when they are traced, they should be produced before the jurisdictional Magistrate.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmk/msrm

To,

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. The Inspector of Police,
Arachalur Police Station,
Erode District.
3. The Public Prosecutor, High Court, Madras - 104.
H.C.P.Nos.1100 & 1202 of 2019

BR (CO)
A.SK(13/08/2019)