

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.07.2019

CORAM

The Honourable Mr Justice M.M.SUNDRESH  
and  
The Honourable Mr Justice M.NIRMAL KUMAR

Habeas Corpus Petition No.1138 of 2019

R.Santhi

... Petitioner

-Versus-

1. The Superintendent of Police,  
Kancheepuram District,  
Kancheepuram.

2. The Inspector of Police,  
Cheyyur Police Station,  
Kancheepuram District.

3. Dhanalakshmi

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the body and person of the petitioners daughter, the detinue by name S.SUNITHA, wife of Sudhakar, aged about 34 years from the illegal custody of the 3rd respondent before this court and set her at liberty and restore her to the custody of the petitioner.

For Petitioner : Mr.Murugavel

For Respondents : Mr.C.Iyyapparaj, APP for  
RR1 and 2

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner is the mother of the detinue - S.SUNITHA. Alleging that the detinue is in the illegal custody of the 3rd respondent herein, the present petition has been filed.

2. The learned Additional Public Prosecutor, on instructions, submitted that the 3rd respondent is very much available in the village. Further, according to him, the investigation revealed that the detainee is not in the illegal custody of the 3rd respondent.

3. In view of the above, we are not inclined to keep this petition pending any longer, while the 2nd respondent shall make endeavor to secure the presence of the detainee and as and when the detainee is found, she should be produced before the jurisdictional Magistrate.

4. In the result, this writ petition is disposed of accordingly with the above directions. We also give liberty to the petitioner to file a fresh petition, if no further progress is made in the investigation.

Sd/-  
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Superintendent of Police, Kancheepuram District, Kancheepuram.
2. The Inspector of Police, Cheyyur Police Station, Kancheepuram District.
3. The Public Prosecutor, High Court, Madras.

+1 cc to M/s.A.Murugavel, Advocate, S.R.No.54859

H.C.P.No.1138 of 2019

CP(CO)  
SSM(29/07/2019).

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