

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19..08..2019

CORAM

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

Habeas Corpus Petition No.1514 of 2019

T.N.Rajarathinam

... Petitioner

-Versus-

The Inspector of Police,
Pallikaranai Police Station,
Chennai 600100.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondent to produce the wife of the petitioner by name MAMTHA, aged 35 years, and to produce her before this court and set her at liberty.

For Petitioner : Mr.S.Sekar

For Respondent : Mr.C.Iyyappa Raj, APP

ORDER

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

The petitioner is the husband of the detinue. He is before this court with this petition seeking a direction to the respondent for the production of his missing wife.

2. Heard both sides.

3. The learned Additional Public Prosecutor, on instructions, submitted that it is a case of elopement. This is second occurrence. Earlier, when the detinue was found missing in the year 2014, on the complaint given by the petitioner, a case had been registered. In furtherance thereof, the detinue was secured by the police and she had rejoined the petitioner. There were differences of opinion between the petitioner and the

detenue and the detenue had again left the matrimonial home. Thereafter, she again rejoined the petitioner. While so, the petitioner lodged another complaint on 08.07.2019 alleging that his wife has been missing from 23.06.2019 onwards. Pursuant to the complaint given by the petitioner, another case has been registered in Crime No.661 of 2019 on 08.07.2019 for 'Woman Missing'.

4. The learned Additional Public Prosecutor further submitted that all necessary steps have been taken by the respondent police to trace the detenue and investigation is going on.

5. In such view of the matter, we are not inclined to keep this petition pending and, therefore, this Habeas Corpus Petition is closed, however, with a direction to the respondent to take steps to trace the detenue and as soon as the detenue is traced she should be produced before the jurisdictional Magistrate.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Inspector of Police,Pallikaranai Police Station,Chennai 600100.

2.The Public Prosecutor, High Court, Chennai.

H.C.P.No.1514 of 2019

NMI (CO)
CB(09/10/2019)

सत्यमेव जयते

WEB COPY