

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.NO.2685 OF 2019

M.Suseela
W/o.B.Mothilal

... Petitioner/
Wife of the Detenue

Vs

1. The State of Tamil Nadu
Represented by its Superintendent of Police,
Chennai Police, Chennai.

2. Inspector of Police,
G-10, Anaicut Police Station,
Cheyyar Circle, Kancheepuram District.

3. Raja

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing second respondent to produce the petitioner's husband B.Mothilal, aged 32 years, S/o.Hiralal before this Court from the illegal custody of third respondent and set him at liberty.

For Petitioner : Ms.G.A.Girija Venkataramanan

For Respondents: Mr.R.Prathap Kumar

Additional Public Prosecutor [R1 & R2]

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner, who is the wife of B.Mothilal, aged 32 years, S/o.Hiralal, has filed the present petition seeking a direction to second respondent to produce her husband before this Court from the illegal custody of third respondent and set him at liberty.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned counsel for petitioner submits that petitioner's husband was running Bagavathi pawn broker and jewellery shop for more than one decade and every year, he used to run Diwali Chit Fund and provide gold coins, crackers, sweets to all the customers of the chit. Petitioner's husband was running the chit fund for more than 5 years successfully. Owing to sudden increase in the price of gold and the money, which the petitioner gave for circulation has not returned, he was not in a position to provide gold coins. In such situation, he went missing from 06.11.2019. Hence, the present petition has been filed seeking the aforesaid relief.

4. Learned Additional Public Prosecutor appearing for respondents 1 and 2 submits that petitioner's husband has cheated many people and on the basis of complaint received from one of the subscribers, a case was registered in Crime No.279 of 2019 on the file of second respondent for an offence u/s.420 IPC against the petitioner's husband and the police personnel are searching him.

5. In the aforesaid circumstances, nothing survives for further adjudication in this petition since the respondent police are also searching for the detenu.

Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
Chennai Police, Chennai.

2. Inspector of Police,
G-10, Anaicut Police Station,
Cheyyar Circle, Kancheepuram District.

3. The Public Prosecutor, High Court, Madras.

+lcc to Ms.G.A.Girija Venkataramanan, Advocate, S.R.No.104942

H.C.P.No.2685 of 2019

PPA(CO)
CS/31/01/2020