

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2019

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP.No.2881 of 2018

Srinathan

.. Petitioner

Versus

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai.

2. The Inspector of Police,
V3, JJ Nagar Police Station,
Chennai.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents herein to produce the body of the petitioner's wife S.Lavanya aged 39 years before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.K.Velayutham

For Respondents: Mr.C.Iyyappa Raj,

Additional Public Prosecutor

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the husband of the detainee seeking direction to produce the body of his wife namely S.Lavanya, has filed this Habeas Corpus Petition.

2. The learned Additional Public Prosecutor, on instructions, submitted that the investigation would reveal that the detainee has eloped with one J.Manikandan. The aforesaid person was residing in United State of America for quite sometime and having Bank Account in that Country and by using the facilities available, money is being drawn from the ATM in

different places. However, inspite of the best efforts made, both J.Manikandan and the detainee could not be traced.

3. We are of the considered view that prima facie it appears to be a case of elopement. In such view of the matter, we are inclined to close this petition by directing the respondents to conclude the investigation and file a report within four months from the date of receipt of a copy of this order and as and when, the detainee has been traced, she shall be produced before the jurisdictional Magistrate.

4. The Habeas Corpus Petition is closed with the above observation.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai.
2. The Inspector of Police,
V3, JJ Nagar Police Station,
Chennai.
- 3.The Public Prosecutor
High Court, Madras.

+lcc to Mr.K.Velayutham, Advocate sr.45712

HCP.No.2881 of 2018

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nr 16/07/2019

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