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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 974 of 2020

Prakash Dhinakaran ... Petitioner/Detenuer's Husband

-vs-

1.State rep. by
The Deputy Commissioner of Police,
Anna Nagar District, Chennai.

2.The Sub Inspector of Police,
V4 Rajamangalam Police Station,
Chennai.

... Respondents/Complainant

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus to direct the respondents police to produce the body of the petitioner's wife P.Jenifer, aged about 28 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.A.Velmurugan

For Respondents : Ms.M.Prabhavathi,
Addl. Public Prosecutor

ORDER

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

The petitioner is the husband of the detenuer. Alleging that the detenuer is in the illegal custody, the present habeas corpus petition has been filed.

2.We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.



3. Learned Additional Public Prosecutor, on instructions, submitted that it is a case of elopement and the detenue has left the matrimonial home on her own.

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4. In view of the above, we do not find any illegal detention involved. Accordingly, the Habeas Corpus Petition stands closed. However, the respondent/Police is directed to go on with the investigation and as and when the detenue is secured, she should be produced before the concerned jurisdictional Magistrate Court.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

raa/mmi/ssm

To

1. The Deputy Commissioner of Police,
Anna Nagar District, Chennai.

2. The Sub Inspector of Police,
V4 Rajamangalam Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 974 of 2020

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