

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2020

Coram

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

H.C.P. No. 1239 of 2020

I.Jescinda Mary ...Petitioner/
Wife of the Detenu

-vs-

State by

1. The Superintendent of Police,
Vellore District, Now Ranipet District.
2. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam, Vellore District,
Now Ranipet District. ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the second respondent herein to produce the body of the detenu Mr.Issac, S/o/Daniel, aged 60 years before this Court and set her at liberty.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.R.Prathap Kumar,
Addl. Public Prosecutor

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

The petitioner, who is the wife of the detenu, seeks his custody and production before this Court.

2.The detenu has been missing from 16.09.2019 onwards. A complaint has been lodged on the very same day resulting in registration of F.I.R. in Crime No.789 of 2019 for 'man missing'.

3.From the affidavit filed, it appears that the detenu applied for voluntary retirement. After getting the same, he took the money and absconded. The investigation made so far reveals that he is living in some other place with another lady.

4.From the above, we are of the view that prima facie there is no illegal detention involved. In such view of the matter, this habeas corpus petition stands closed. However, the second respondent is directed to proceed with the investigation and complete the same within a period of three months from the date of receipt of a copy of this order. Needless to state that all endeavours to be made to secure the detenu. As and when the detenu is secured, he shall be produced before the jurisdictional Magistrate.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Superintendent of Police,
Vellore District, Now Ranipet District.

2.The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam, Vellore District,
Now Ranipet District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.R.Ramesh , Advocate Sr.No. 33813

PA(CO)
RMP(05/11/2020)

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