

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2020

Coram

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

H.C.P. No. 1674 of 2020

Kanmani

...Petitioner/
mother of the detenue

-vs-

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.
2. The Inspector of Police (Law and Order),
E-3, Saravanampatti Police Chennai,
Coimbatore. ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing respondents 1 and 2 herein to produce the body of the detenu by name, Sathishkumar, aged about 35 years, before this Court and restore his legal custody.

For Petitioner ... Mr.K.Thenrajan

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

ORDER

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

Seeking a direction to the respondents to produce the body of the detenu by name, Sathishkumar, aged about 35 years, before this Court and to restore his legal custody, the present habeas corpus petition has been filed by the mother of the detenu.

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

3. When the matter is taken up for hearing, the learned

Additional Public Prosecutor appearing for the State submitted that a case has been registered by the second respondent in Crime No.1201 of 2019 for man missing on the complaint given by his wife, who is the daughter-in-law of the petitioner. The enquiry made so far reveals that the detenu has eloped with another unmarried girl though major.

4. In view of the above, we do not find any illegal detention involved, though on a prima facie view. Accordingly, the habeas corpus petition stands closed with a direction to the second respondent to proceed with the investigation and make an endeavour to secure him. As and when the detenu is secured, he should be produced before the jurisdictional Magistrate.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Commissioner of Police,
Coimbatore City,
Coimbatore.
- 2.The Inspector of Police (Law and Order),
E-3, Saravanampatti Police Chennai,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 1674 of 2020

SR(CO)
RMP(10/11/2020)

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