

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2020

Coram

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

H.C.P. No. 2051 of 2020

M.Devandran

... Petitioner

-vs-

- 1.The State Rep. by
The Superintendent of Police,
Kallakkurichi,
Kallakkurichi District.
- 2.The Inspector of Police,
Vadaponparappi Police Station,
Sankarapuram (TK),
Kallakkurichi District 606 401.

3.A.Ajai

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the second respondent to produce the body of petitioner's wife namely Maheswari, aged about 21 years, before this Court and to set her at liberty.

For Petitioner .. Mr.P.Kannan

For Respondents.. Mr.R.Prathap Kumar
Addl. Public Prosecutor for R1 & R2
No appearance for R3

ORDER

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

The petitioner who is the husband of the detenue seeks her

production from the alleged illegal custody of the third respondent.

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

3.Learned Additional Public Prosecutor submitted that this is the second time elopement of the detainee with the third respondent who is her school classmate with whom she developed intimacy over the years. On an earlier occasion, a similar occurrence happened and on the complaint given by the petitioner, the detainee was brought back.

4.From the above, we do not find any illegal detention involved. Accordingly, the habeas corpus petition stands closed. However, inasmuch as the investigation is only preliminary in nature, we direct the second respondent to proceed with the investigation.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Superintendent of Police,
Kallakkurichi,
Kallakkurichi District.
- 2.The Inspector of Police,
Vadaponparrappai Police Station,
Sankarapuram (TK),
Kallakkurichi District 606 401.

- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr. P. Kannan, Advocate Sr.No.37680

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NR(CO)
NS(28/12/2020)