

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2020

Coram

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

The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 2774 of 2019

Baskar

...Petitioner

-vs-

1. The Commissioner of Police,
Vepery, Chennai - 7.

2. The Inspector of Police,
H6 R.K.Nagar Police Station,
Tondiarpet, Chennai - 81.

3. Babu Rao

4. Jessey

....Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing respondents 1 and 2 police to produce the detainee by name Jeevitha, S/o.Baskar, aged about 24 years before this Court who is now under the illegal custody of respondents 3 and 4 and set her at liberty.

For Petitioner

: Mr.K.Manikandan

For Respondents

Mr.R.Prathap Kumar,
: Addl. Public Prosecutor
for R1 & R2

WEB COPY

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

The petitioner is the father of the detinue. Alleging that she is in the illegal custody of the third respondent, the present habeas corpus petition has been filed.

2.Heard the learned counsel appearing for the parties.

3.The detinue is stated to be missing from 22.10.2019 onwards. A complaint was also given by the wife of the third respondent.

4.Learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that the investigation would prima facie reveal that the detinue has eloped with the third respondent. However, further investigation is still going on.

5.Thus, considering the above, we are not inclined to keep the habeas corpus petition pending any longer and the same stands closed. However, we direct the second respondent to proceed with the investigation in the complaint given by the fourth respondent in Crime No.1068 of 2019 to secure the detinue and the third respondent.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Commissioner of Police,
Vepery, Chennai - 7.
2. The Inspector of Police,
H6 R.K.Nagar Police Station,
Tondiarpet, Chennai - 81.
3. The Public Prosecutor,
High Court, Madras.

H.C.P. No.2774 of 2019

CO (RV)
BDL/18/01/2021