

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2020

Coram

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

H.C.P. No. 2803 of 2019

Sharwan Singh

...Petitioner

-vs-

1. The Inspector of Police,
Erode Town Police Station,
Erode District.

2. Vikash Pareek

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the 1st respondent to produce the petitioner's wife namely Pinki Kanwar, W/o.Sharwan Singh, aged about 19 years, from the illegal custody of the 2nd respondent before this Court and set her at liberty.

For Petitioner... Mr.C.S.Saravanan

For Respondents.. Mr.R.Prathap Kumar

Addl. Public Prosecutor for R1

ORDER

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

Seeking a direction to the first respondent to produce the petitioner's wife namely Pinki Kanwar, W/o.Sharwan Singh, aged about 19 years, from the illegal custody of the 2nd respondent before this Court and to set her at liberty, the present habeas corpus petition has been filed.

2.Heard the learned counsel appearing for the parties.

3.The petitioner is the husband of the detainee. The second respondent is stated to have taken the detainee along with him in

view of the relationship with her. The petitioner, the detenue and the second respondent all belong to the State of Rajasthan.

4.The investigation made also reveals that the detenue has eloped with the second respondent. Further investigation indicates that they are now in the State of West Bengal as per the cell phone tower indication.

5.The detenue is also stated to be missing from 22.11.2019 onwards. A case has been registered in Crime No. 857 of 2019 for woman missing on 27.11.2019.

6.In view of the above, we do not prima facie find any illegal detention involved in this case as it appears to be a case of elopement. Accordingly, the habeas corpus petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Inspector of Police,
Erode Town Police Station,
Erode District.
2. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 2803 of 2019

CO (RGN)
BDL/08/01/2021

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