

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.165 of 2021

Gunasundari

.. Petitioner

Vs.

1.The Commissioner of Police,
Office of Commissionarate,
Vepery, Chennai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Chengalpet District.

3.The Inspector of Police,
All Women Police Station,
Tambaram, Kancheepuram District.

4.Mohan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the 3rd respondent to produce the petitioner's husband S.M.Balaji, aged about 32 years, S/o.Mohan, whose whereabouts are not known from 26.04.2020 and is kept under the illegal custody of the 4th respondent, before this Court and set him at liberty.

For Petitioner : Mr.S.P.Arthi
For RR 1 to 3 : Mr.R.Prathap Kumar,
Addl. Public Prosecutor
For RR4 : Mrs.T.Divya

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

The habeas corpus petition has been filed seeking to direct the 3rd respondent to produce the petitioner's husband

S.M.Balaji, aged about 32 years, S/o.Mohan, whose whereabouts are not known from 26.04.2020 and is kept under the illegal custody of the 4th respondent, before this Court and set him at liberty.

2. It is the case of the petitioner that she got married to Balaji on 06.02.2019 and he left her on 24.10.2020 and thereafter, his whereabouts are not known.

3. Today, Mrs.C.Vijaya Kumari (Mobile No.94428 56414), Inspector of Police, All Women Police Station, Tambaram, is present. Balaji (detenu) (Mobile No.96000 59666) is present along with his Advocate Mrs.T.Divya.

4. Mrs.T.Divya, learned counsel for Balaji submitted that on account of marital discord, the petitioner and Balaji got estranged and Balaji has filed divorce proceedings in H.M.O.P.No.218 of 2020 in the Subordinate Court, Tambaram, against the petitioner. She further submitted that Balaji is working as a lorry driver in Coimbatore and he used to sleep in lorry shed at No.14, Siddhupudhur, Gandhipuram fly over, Gandhipuram, near bus stop, Coimbatore and his permanent residential address in Chennai is at No.41, 2nd Bajanaikoil Street, Sembakkam, Kancheepuram, Tamil Nadu - 600 073.

5. In view of the above, there is no illegal detention of Balaji (detenu) and it is open to the parties to work out their remedies in the manner known to law.

In fine, this habeas corpus petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

nsd

To

1.The Commissioner of Police,
Office of Commissionerate,
Vepery, Chennai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Chengalpet District.

WEB COPY

3.The Inspector of Police,
All Women Police Station,
Tambaram, Kancheepuram District.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.165 of 2021

RSI (CO)
RMP (03/03/2021)



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