

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.02.2021

CORAM

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

H.C.P.No.298 of 2021

E.Parthiban .. Petitioner

Vs.

1.The Superintendent of Police
District Superintendent Office
Tirupathur Taluk and District 635 601

2.The Inspector of Police
Tirupattur Taluk Police Station
Tirupathur Taluk and District 635 601

3.V.Rajiv Gandhi

4.K.Veerabhadeeran

5.T.Prakash ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent to cause the production of the body and person of the petitioner's wife viz. V.Nithya, aged 27 years, before this Hon'ble Court and set her at liberty.

For Petitioner : Ms.E.Chitra

For R1 and R2 : Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by V.SIVAGNANAM, J.]

This petition has been filed seeking a direction to the 2nd respondent to cause the production of the body and person of the

petitioner's wife viz. V.Nithya, aged 27 years, before this Court and set her at liberty.

2. It is the case of the petitioner that his wife Nithya went missing and her whereabouts are not known; therefore, he lodged a complaint on 03.02.2021 to the respondents 1 and 2 to secure Nithya and that they are not taking effective steps to secure her and hence, this petition.

3. Today, Mr.K.Sri Ganesh, PC 2566, Tirupattur Taluk Police Station, is present before this Court.

4. We are informed that the Police conducted enquiry and recorded the statements of Nithya, her father and mother. It is seen that due to matrimonial dispute between the petitioner and Nithya, the latter is living separately with her parents.

Under such circumstances, this Court is of the view that this is not a fit case for the petitioner to file this petition seeking production of the detainee viz. Nithya and accordingly, this Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya

To

1.The Superintendent of Police
District Superintendent Office
Tirupathur Taluk and District 635 601

2.The Inspector of Police
Tirupattur Taluk Police Station
Tirupathur Taluk and District 635 601

3.The Additional Public Prosecutor
High Court, Madras.

+1cc to Mr.E. CHITRA, Advocate, S.R.No.10356

+1cc to Mr.E. CHITRA, Advocate, S.R.No.10217 (07/04/2021)

RR(CO)

SM/05/03/2021

H.C.P.No.298 of 2021