

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice P.RAJAMANICKAM

H.C.P.No.412 of 2021

Arunagiri

... Petitioner

Vs.

1.State represented by
The Superintendent of Police,
Chengalpattu District.

2.The Deputy Superintendent of Police,
Madurandhagam Sub-Division,
Chengalpattu District.

3.State represented by
The Inspector of Police,
Chittamur Police Station,
Kancheepuram District.

4.Krishanveni

.... Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the third respondent to produce the body of petitioner's wife Vivekka, aged about 22 years, before this Court from the custody of the 4th respondent and set her at liberty.

For Petitioner : Mr.S.Alan David Rufus

For RR 1 to 3 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the third respondent to produce the body of petitioner's wife

Vivekka, aged about 22 years, before this Court from the custody of the 4th respondent and set her at liberty.

2. It is the case of the petitioner that his wife Vivekka, aged about 22 years, went missing from 08.02.2021 and that the police are not taking effective steps to secure her.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Chittamur Police Station Crime No.19 of 2021 for 'woman missing' was registered on 13.02.2021 and during the course of investigation, the alleged detainee Vivekka was secured by the police and produced before the District Munsif-cum-Judicial Magistrate, Cheyyur, Chengalpattu District, on 16.02.2021 in C.M.P.No.154 of 2021 and her sworn statements was recorded; in the statement to the learned Magistrate, Vivekka stated that she is not willing go with the petitioner and that she wants to go with her mother, fourth respondent herein.

In such view of the matter, we do not find that Vivekka (detenue) is in the illegal custody of anyone for issuance of a writ of habeas corpus.

Hence, this habeas corpus petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nsd
To

1.The District Munsif-cum-Judicial Magistrate,
Cheyyur, Chengalpattu.

2.The Superintendent of Police,
Chengalpattu District.

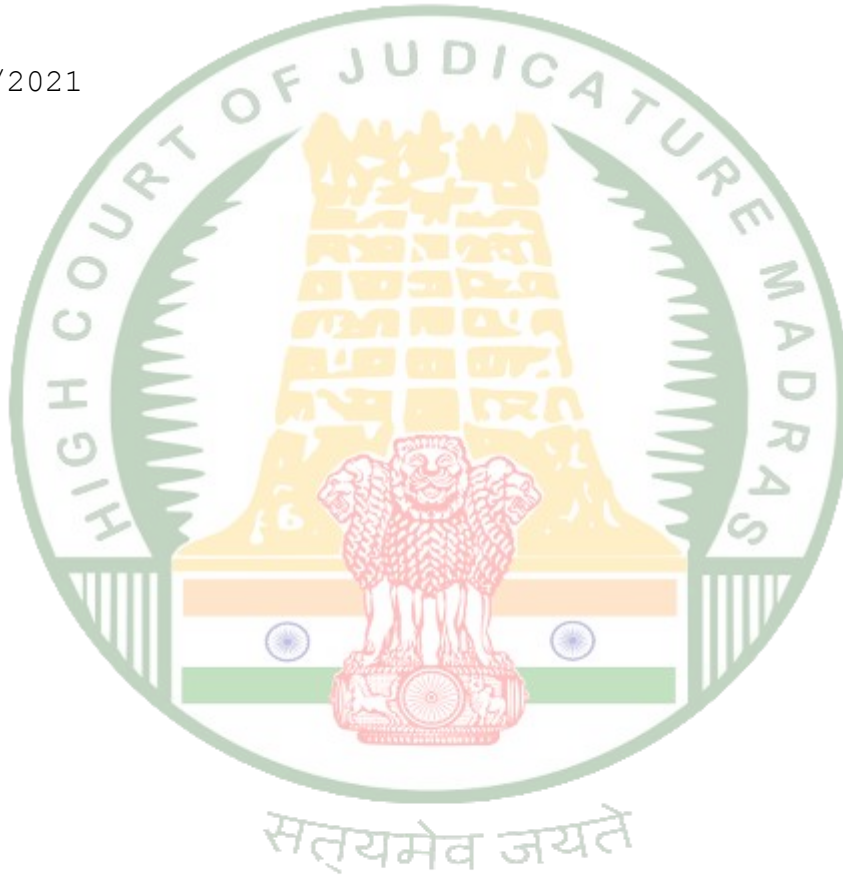
3.The Deputy Superintendent of Police,
Madurandhagam Sub-Division,
Chengalpattu District.

4.The Inspector of Police,
Chittamur Police Station,
Kancheepuram District.

5.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

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