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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.1223 of 2021

Radhamani

..Petitioner

Vs.

1.The Superintendent of Police,
Tiruppur District,
Tiruppur.

2.The Inspector of Police,
Verapandi Police Station,
Tiruppur District.

3.Thirumalaisamy.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's husband/detenu Govindasamy, son of Palanisamy Gounder, aged about 65 years, from the illegal custody of the 3rd respondent.

For Petitioner : Mr.C.M.Arumugam

For RR 1 and 2 : Mr.R.Muniyapparaj
Govt.Advocate Crl.Side)

ORDER

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

This habeas corpus petition has been filed seeking to direct the 2nd respondent to produce the petitioner's husband/detenu Govindasamy, son of Palanisamy Gounder, aged about 65 years, from the illegal custody of the 3rd respondent.

2. It is the case of the petitioner that she is the wife of Govindasamy, aged about 65 years, who went missing from 29.06.2021 and that the police are not taking effective steps to secure him.



3. In this regard, the petitioner has given a complaint to the second respondent/police, based on which, a petition enquiry was conducted in C.S.R.No.76 of 2021.

4. On instructions, the learned Government Advocate (CrI.Side) submitted that during the petition enquiry in C.S.R.No.76 of 2021, Govindasamy appeared before the second respondent/police on 30.06.2021 and gave a detailed statement saying that he had got married to one Leelavathi, who died on 03.11.1992; he has no issues through her; he was living alone and had engaged the services of the petitioner herein as a domestic help and she is now claiming herself to be his wife in order to knock away his properties; he is now living with his brother, third respondent herein, on his own volition.

5. In view of the above, it cannot be stated that Govindasamy is in the illegal detention of anyone for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands dismissed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

nsd

To

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.

2. The Inspector of Police,
Verapandi Police Station,
Tiruppur District.

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

+1cc to Mr.C.M.Arumugam, Advocate, SR.No.40113

H.C.P.No.1223 of 2021

GPL(CO)

CT (07/09/2021)