

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.No.1586 of 2021

S.Mariyamma

...Petitioner

Vs.

1. The Commissioner of Police,
O/o.Commissioner of Police,
Chennai.

2. The Inspector of Police,
Ayanavaram Police Station,
Chennai District.

... 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 viz., Sundarajan, aged about 53 years, son of Kapali, before this Court and set him at liberty.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the second respondent to produce the petitioner's husband viz., Sundarajan, aged about 53 years, son of Kapali, before this Court and set him at liberty.

2. It is the case of the petitioner that she got married to Sundarajan on 26.01.1998 in Kerala and after marriage, she settled down with her husband in Chennai. It is the further case of the petitioner that her husband Sundarajan went for work on 10.10.2004, but, did not return.

3. While that being so, the petitioner is said to have given a complaint to the second respondent/police and has thereafter, filed the present habeas corpus petition.

4. Today, B.Venkatesan (Mobile No.94981 11351), Sub-Inspector of Police, K-2, Ayanavaram Police Station, Chennai, is present.

5. On the facts and circumstances of the case, it is seen that even according to the petitioner, the detenu Sundarajan is not in the illegal custody of the first and second respondents for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed with liberty to the petitioner to work out her remedy in the manner known to law.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Commissioner of Police,
O/o.Commissioner of Police,
Chennai.
2. The Inspector of Police,
Ayanavaram Police Station,
Chennai District.
3. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.M.Govindarajan, Advocate, S.R.No.52218

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MG(CO)
RGA(27/10/2021)