



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

H.C.P.NO.1730 OF 2021

D.Jeyaponselvi

.. Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai, No.132,
EVK Sampath Road, Vepery,
Chennai- 600 007.
2. The Deputy Commissioner of Police,
Office of Deputy Commissioner of Police,
Ambattur, Chennai- 600 053.
3. The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Avadi, Chennai- 600 054.
4. The Inspector of Police,
T-7, Tank Factory Police Station
Avadi, Chennai- 600 054.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 4th respondent to produce her husband S.Murugan, S/o. Sundaramani, aged about 48 years, before this Court within the time stipulated by this Court and set him at liberty.

For Petitioner : Mr.S.Ramesh

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



ORDER

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

WEB COPY This habeas corpus petition has been filed seeking to direct the 4th respondent to produce her husband S.Murugan, S/o. Sundaramani, aged about 48 years, before this Court within the time stipulated by this Court and set him at liberty.

2. It is the case of the petitioner that the whereabouts of her husband Murugan is not known since 30.09.2021 and therefore, in order to trace him, she has filed the present habeas corpus petition.

3. Today, Mr.Amalanathan (Mobile No.94981 27551), Sub-Inspector of Police, T-7, Tank Factory Police Station, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint lodged by one Kalpana, a case in Tank Factory Police Station Crime No.363 of 2021 was registered on 30.09.2021 for the offences under Sections 294-B, 307 and 506(I) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, against Murugan and Murugan is an absconding accused.

5. A reading of the FIR in Crime No.363 of 2021 shows that Murugan had attacked Kalpana with a knife and has caused serious injuries to her on 30.09.2021. Thus, it is apparent that Murugan is an absconding accused and the police are looking out for him.

In such view of the matter, a writ of habeas corpus petition cannot be issued in this case and the same stands dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai, No.132,
EVK Sampath Road, Vepery,
Chennai- 600 007.



2. The Deputy Commissioner of Police,
Office of Deputy Commissioner of Police,
Ambattur, Chennai- 600 053.

3. The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Avadi, Chennai- 600 054.

4. The Inspector of Police,
T-7, Tank Factory Police Station
Avadi, Chennai- 600 054.

5. The Public Prosecutor,
High Court, Madras.

+1CC to Mr.S.Ramesh, Advocate, Sr.No.56159

H.C.P.No.1730 of 2021

VBM (CO)

K.RK. (17.11.2021)