

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 2593 of 2020

Bharathi

.. Petitioner

Vs.

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

2.The Inspector of Police,
SIPCOT Police Station,
Thiruvallur District.

3.The Inspector of Police,
All Women Police Station,
Gummidipoondi,
Thiruvallur District.

4.Loganathan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing respondents to produce the body and person of the detenu by name Ganesan @ Giridharan, S/o.Loganathan, aged about 23 years, who is the husband of the petitioner herein before this Court and set him at liberty.

For Petitioner : Mr.S.Sasikumar
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 respondents to produce the body and person of the detenu by name Ganesan @ Giridharan, S/o.Loganathan, aged about 23 years, who is the husband of the petitioner herein before this Court and set him at liberty.

2. It is the case of the petitioner that the detenu Ganesan @ Giridharan promised to marry her and thereafter reneged. On these allegations, the petitioner gave a complaint to the Inspector of Police, All Women Police Station, Gummidipoondi, third respondent herein, based on which, a petition enquiry in C.S.R.No.80 of 2020 was registered on 04.12.2020. While that being so, the detenu went missing from 06.10.2020, in connection with which, on a complaint given by his father Loganathan, fourth respondent herein, the Inspector of Police, SIPCOT Police Station, second respondent herein, registered a case in Crime No.1789 of 2020 for man missing on 08.10.2020.

3. Under such circumstances, the petitioner has filed the present habeas corpus petition alleging that the detenu is being screened by the fourth respondent deliberately in order to thwart the marriage.

4. The fact remains that the detenu is aged about twenty three years and is missing since 06.10.2020. Under such circumstances, it would be in the interest of justice, if the Deputy Superintendent of Police, Gummidipoondi Sub Division, is directed to monitor the investigation in Crime No.1789 of 2020 and take effective steps to secure the detenu on intimation to the petitioner and the fourth respondent. On the detenu being secured, he shall be produced before the jurisdictional Magistrate.

With the above directions, this habeas corpus petition is closed

Sd/-

Assistant Registrar (CCC)

/true copy/

Sub Asst. Registrar

mmi/nsd

To

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

2.The Inspector of Police,
SIPCOT Police Station,
Thiruvallur District.

3.The Inspector of Police,
All Women Police Station,
Gummidipoondi,
Thiruvallur District.

4.The Deputy Superintendent of Police,
Gummidipoondi Sub Division,
Thiruvallur District.

5.The Public Prosecutor,
High Court, Madras.

6.The Secretary to Government
Public Law & Order
Fort St.George
Chennai-600 009

+1 cc to Mr.S.Sasikumar Advocate sr140

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