



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGOVAN**

H.C.P. (MD) No.482 of 2021

S.O.V.Chandrasekaran @ Chandran

... Petitioner/Husband
of the detenu

-vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
Batlagundu Police Station,
Batlagundu, Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the person or body of the petitioner's wife C.Priya, aged about 31 years before this Court and set her at liberty.

For Petitioner : Mr.C.Prithiviraj
For R1 & R2 : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas Corpus petition has been filed seeking direction to the respondents to produce the petitioner's wife, namely, C.Priya, aged about 31 years before this Court and set her at liberty.

2.The petitioner would claim that he married the detenu in the year 2008 and from the marriage they are blessed with two children aged about 12 and 8 years respectively. The petitioner wanted to buy a vacant land and hence, he approached the brokers, namely, Sundarajan and Rajasekaran, who are native of Ettaiyapuram. While so, the detenu was found missing from 28.01.2021, for which, he lodged a complaint with Tambaram Police Station. He further stated that when he came along with his wife and children to his native place, she was again found missing from 19.03.2021. It is alleged that the detenu was kidnapped by unknown persons with jewels on the



instigation of the brokers Sundarajan and Rajasekaran. Even though, he lodged a complaint with the second respondent on 21.03.2021, no action was taken to secure the detainee and hence, the present petition has been filed.

3. The learned Additional Public Prosecutor, appearing for the respondents would submit that the detainee was originally found missing on 28.01.2021 and on the basis of the complaint of the petitioner, a case in Cr.No.38 of 2021 was registered by the Tambaram Police Station at Chennai and thereafter, the detainee was secured and produced before the Court on 06.03.2021 and the investigation revealed that she eloped with one Sundarajan. Again, he lodged a complaint with the second respondent on 21.03.2021 through online with regard to missing of his wife from 19.03.2021. It is the submission of the learned Additional Public Prosecutor that this is a case of elopement and the second respondent is ready to take action in accordance with law.

4. In the light of the above facts, we don't find any merit in this habeas corpus petition and hence, the same is dismissed. The second respondent is hereby directed to speed up the investigation in C.S.R.No.146 of 2021 and secure the detainee at the earliest.

Sd/-
Assistant Registrar

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Batlagundu Police Station,
Batlagundu, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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