



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.NO.61 OF 2022

J.Valli
W/o.Jayaseelan

...Petitioner

Vs.

1.The Superintendent of Police,
The Superintendent of Police Office,
Sathuvachari, Vellore - 632 009.

2.The Inspector of Police,
Virinchipuram Police Station,
Virinchipuram, Vellore.

3.Mohan Kumar
S/o.Pandu

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent to produce the petitioner's daughter Nathiya, aged 35 years, before this Court and set her at liberty.

For Petitioner : Mr.A.Ramesh Manikandan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

O R D E R

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

This petition has been filed seeking a direction to the second respondent to produce the petitioner's daughter Nathiya, aged 35 years, before this Court and set her at liberty.

2. On 21.01.2022, we passed the following order:

'Mr.R.Muniyapparaj, learned Additional Public Prosecutor, takes notice for respondents 1 and 2.



2. Private notice to third respondent returnable by 04.02.2022.

3. The respondents 1 and 2 are directed to contact the third respondent and produce him through video conferencing on 04.02.2022.

Post on 04.02.2022.'

3. Today, Mr.Dilli Babu, Sub-Inspector of Police, Virinchipuram Police Station, produced Mohan Kumar (third respondent herein) before us via video conferencing.

4. When enquired by us, Mohan Kumar stated that he got separated from his wife Nathiya three years back and that he is living in Bangalore and his address is No.31, 1st Block, 4th cross, Thirumenahalli, Jakkur Post, Yalahanka Hobli, Bangalore - 560 064 and that Nathiya is not in his custody. It is not the case of the petitioner that Nathiya is in the illegal custody of respondents 1 and 2. Mohan Kumar further stated that Nathiya is available in her uncle's house in Bangalore and that the petitioner is also aware of it.

5. Be that as it may, we are satisfied that Nathiya is not in the illegal custody of respondents herein for issuance of a writ of habeas corpus.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

gm

To

- 1.The Superintendent of Police,
The Superintendent of Police Office,
Sathuvachari, Vellore - 632 009.
- 2.The Inspector of Police,
Virinchipuram Police Station,
Virinchipuram, Vellore.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.61 of 2022

KSM(CO)
RVM(15/02/2022)