



WEB COPY



H.C.P.No.1808 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

Coram

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.No.845 of 2022

Yasmin Rose

.. Petitioner

Vs.

1.The State rep by the Commissioner of Police
Commissioner's Office,
Vepery, Chennai.

2.The Inspector of Police,
V-1, Villivakkam Police Station,
Villivkkam, Chennai - 46.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to produce the petitioner husband namely Mohammed Bilal aged 39 years residing at No.10/20, 98th Street, Sidco Nagar, Villivakkam, Chennai - 49 before this Court and set him at liberty.

For Petitioner : Mr.S.Elaiyaraja

For respondents : Mr.M.Babumuthumeeran,
Addl. Public Prosecutor



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ORDER

S. VAIDYANATHAN, J.

AND

A.D. JAGADISH CHANDIRA, J.

This petition has been filed by the petitioner/wife of the detainee seeking to produce her husband/Mohammed Bilal aged 39 years who was found missing.

2. When the matter is taken up today, the learned Additional Public Prosecutor would submit that in respect of missing of alleged detainee/Mohamed Bilal a complaint has been given by one Mohammadha Begam/mother of the detainee, based on the complaint given by the mother, the second respondent had filed the FIR in Cr.No.52 of 2022 under the caption "man missing". He would further submit that the respondent had conducted investigation and during the course of investigation, it came to light that the alleged detainee is a drug addict and there was a matrimonial dispute between him and his wife/petitioner and he left the home and and he is living with his mother. The detainee is not in illegal custody of the second respondent.



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3. Recording the same, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Villivakkam range to supervise the investigation in V-1 Villivakkam Police Station, Villivakkam in Crime No.52 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenue/Mohammed Bilal, aged about 39 years, is secured, he shall be produced before the XIII Metropolitan Magistrate, Egmore, Chennai under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

(S.V.N., J.) (A.D.J.C., J.)
06.07.2022

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To

1.The State rep by the Commissioner of Police
Commissioner's Office,
Vepery, Chennai.

2.The Inspector of Police,
V-1, Villivakkam Police Station,
Villivkkam, Chennai - 46.

3.The Public Prosecutor,
High Court, Madras.



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S. VAIDYANATHAN, J.
AND
A.D. JAGADISH CHANDIRA, J.
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