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H.C.P.No.1262 of 2022

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.1262 of 2022

Priya

.. Petitioner

Vs.

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

2.The Inspector of Police,
D-2, Selvapuram Police Station,
Coimbatore District.

3.Raja

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing 1st and 2nd respondents herein to produce the body of the detenu by name Vijay, male, aged about 40 years, S/o.Prakalathan, before this Court and set him at liberty from illegal custody of 3rd respondent.



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For Petitioner : Mr.C.Deepak Kumar

For RR 1 and 2 : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed by the petitioner/wife seeking a direction to 1st and 2nd respondents herein to produce the body of her husband by name Vijay, male, aged about 40 years, S/o.Prakalathan, before this Court and set him at liberty from illegal custody of 3rd respondent.

2. Heard Mr.C.Deepak Kumar, learned counsel for the petitioner and Mr.M.Babu Muthumeeran, learned Additional Public Prosecutor appearing for the respondent/State.

3. A perusal of the records show that the petitioner has given a



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complaint to the second respondent/police on 27.05.2022 alleging that her husband is a drunkard and now, he is in the custody of her brother-in-law viz. Raja, 3rd respondent herein and he is not allowing her to meet her husband. Despite her complaint, since no action has been taken by the police, the present habeas corpus petition has been filed by the petitioner.

4. The complaint does not show that the petitioner's husband is in illegal detention of anybody and this Court is of the opinion that this habeas corpus petition is not maintainable. However, a direction is issued to the second respondent/police to enquire into the complaint of the petitioner and file a closure report as early as possible.

With the above observations and directions, this habeas corpus petition stands closed.

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

nsd



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

nsd

To

- 1.The District Superintendent of Police,
Coimbatore District, Coimbatore.
- 2.The Inspector of Police,
D-2, Selvapuram Police Station,
Coimbatore District.
- 3.The Public Prosecutor,
High Court, Madras.

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