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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.2167 of 2021

S.Rukammal

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Deputy Superintendent of Police,
Tiruttani.
3. The Inspector of Police,
D-4, R.K. Pettai Police Station,
Thiruvallur District.
(Crime No.144 of 2014)

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent police to produce the petitioner's husband viz., M.Subramani, son of Munusamy, now aged about 77 years, before this Court and set him at liberty.

For Petitioner : Mr.D.Gopinathan

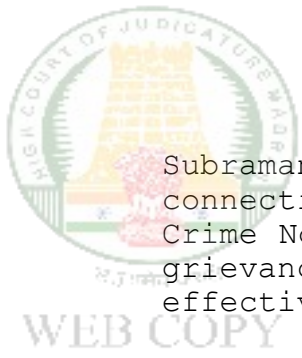
For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the 2nd respondent police to produce the petitioner's husband viz., M.Subramani, son of Munusamy, now aged about 77 years, before this Court and set him at liberty.

2. It is the case of the petitioner that her husband



Subramani, aged about 77 years, went missing from 19.05.2014, in connection with which, a case in R.K. Pettai Police Station Crime No.144 of 2014 was registered for 'man missing'. It is the grievance of the petitioner that the police are not taking effective steps to secure her husband.

3. In our considered opinion, a writ of habeas corpus cannot be maintained for the simple reason that it is not the case of the petitioner that her husband is in the illegal custody of the respondents for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands dismissed with liberty to the petitioner to work out her remedy in the manner known to law.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Deputy Superintendent of Police,
Tiruttani.
3. The Inspector of Police,
D-4, R.K. Pettai Police Station,
Thiruvallur District.
4. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.A.Vijaya Baskar, Advocate, S.R.No.311

H.C.P.No.2167 of 2021

SRA(CO)
CT 25/01/2022