



WEB COPY



HCP.No.2097/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.2097/2023

B.Banu

... Petitioner

Vs.

1.State rep.by

The Superintendent of Police
O/o.The Superintendent of Police
Tiruvallur District.

2.State rep.by

The Deputy Superintendent of Police
O/o.The Deputy Superintendent of Police
Tiruvallur District.

3.State rep.by

The Inspector of Police
B8 Pullrambakkam Police Station
Tiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India in the nature of Habeas Corpus directing the 3rd respondent police to produce



HCP.No.2097/2023

the petitioner's husband namely Mr.B.Balaji aged about 36 years, before tshi Court and set him at liberty.

For Petitioner : Mr.A.Tamil Selvan

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1)The present writ petition has been filed by the petitioner/wife of the detenu seeking a mandamus to direct the 3rd respondent police to cause production of her husband, Balaji, aged about 36 years, the detenu herein, before this Court and to set him at liberty.

(2)The detenu Balaji/husband of the petitioner is said to be missing from 02.10.2023, according to the petitioner. The petitioner had preferred a complaint before the 3rd respondent police on 06.10.2023 alleging missing of her husband and based on the said complaint, a FIR in Crime No.395/2023 has been registered for "man missing". The grievance of the petitioner is that the 3rd respondent police has not taken sincere efforts and proper steps to trace her husband/detenu herein. The petitioner herself



HCP.No.2097/2023

WEB COPY

has stated that the whereabouts of her husband is not known. It is in the said circumstances, this Court is of the view that the detenu/petitioner's husband has not been illegally detained by anyone.

(3) Having regard to the grievance expressed by the petitioner, this Court directs the 3rd respondent / Inspector of Police, B8 Pullrambakkam Police Station, Tiruvallur District, to expedite the investigation in Crime No.395/2023 and file a report before the jurisdictional Magistrate Court within a period of three months from the date of receipt of a copy of this order.

(4) The Habeas Corpus Petition stands **closed with the above direction.**

[S.S.S.R., J.] [S.M., J.]

30.10.2023

AP

Internet : Yes



HCP.No.2097/2023

WEB COPY

To

- 1.The Superintendent of Police
O/o.The Superintendent of Police
Tiruvallur District.
- 2.The Deputy Superintendent of Police
O/o.The Deputy Superintendent of Police
Tiruvallur District.
- 3.The Inspector of Police
B8 Pullrambakkam Police Station
Tiruvallur District.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



HCP.No.2097/2023

S.S. SUNDAR, J.,
and
SUNDER MOHAN, J.,

AP

HCP.No.2097/2023

30.10.2023