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H.C.P.No.781 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM :

THE HONOURABLE **MR. JUSTICE M.S. RAMESH**
AND
THE HONOURABLE **MR. JUSTICE SUNDER MOHAN**

H.C.P.No.781 of 2024

Baby Shalini

... Petitioner

Vs.

1.The Commissioner of Police
The Office of the Commissioner of Police
Tambaram

2.The Inspector of Police
Manimangalam Police Station
Chengalpattu District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body of the detenu, petitioner's husband Thirumoorthi, S/o.Sekar, aged about 30 years before this Court, and thereby set him at liberty.

For Petitioner : Mr.N.Rajan

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



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Assisted by C.Aravind

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

In the present Habeas Corpus Petition, the grievance of the petitioner seems to be that, when her husband had gone missing from 29.03.2023 and C.S.R.No.53 of 2023 in this regard has been issued by the All Women Police Station on 22.05.2023, the same was not expeditiously concluded, she has filed the present petition seeking for production of her husband before this Court.

2. In the affidavit filed in support of this petition, there is no mention as to whether the petitioner's husband is in illegal custody of the third person. On the other hand, the complaint seems to be one of inaction of the Police to complete the enquiry in C.S.R.No.53 of 2023. Therefore, we are of the view that the Habeas Corpus Petition is misconceived and the same is not maintainable.



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3. In the light of the above observations, the Habeas Corpus Petition stands dismissed as not maintainable.

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

15.04.2024

Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No

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To

1.The Commissioner of Police
The Office of the Commissioner of Police
Tambaram

2.The Inspector of Police
Manimangalam Police Station
Chengalpattu District

3.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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