

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No.185 of 2019

Inbasekar

... Petitioner

-vs-

1.The Superintendent of Police,
District Police Headquarters,
Tiruvarur, Tiruvarur District.

2.The Inspector of Police,
Paravakkottai Police Station,
Tiruvarur District.

3.Sudhanthiradasan

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the first and second respondent to secure the detainees Priyadharshini aged about 28 years and Sayesh aged about 9 years and produce their body before this Court and set them at liberty.

For Petitioner : No appearance

For Respondents

Mr.R.Prathap Kumar
Addl.Public Prosecutor for R1
& R2
: Ms.Aruna Elango for R3
Mr.K.Thilageswaran for R4 &
R5

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Petitioner, who is the husband of the detenu by name Priyadarshini and also the father of the minor child by name Sayesh, seeks a direction to respondents 1 and 2 to secure them.

2. There is no representation on behalf of the petitioner.

3. Learned Additional Public Prosecutor, on instructions, submitted that it is the petitioner, who made arrangement for the travel of his wife to France. Thereafter, the minor child was left with the custody of the third respondent. Knowing all these facts, the present habeas corpus petition has been filed.

4. We are not inclined to go into these facts and what has been stated by the learned Additional Public Prosecutor for the reason that there is no representation for the petitioner. However, it appears that the first detenu is in France. The second respondent is none other than the sister's husband of the first detenu viz., co-brother of the petitioner. Therefore, we do not find any illegal detention or custody involved. Thus, this habeas corpus petition stands dismissed, giving liberty to the petitioner to workout the remedy in the manner known to law.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Superintendent of Police,
District Police Headquarters,
Tiruvallur, Tiruvallur District.

2. The Inspector of Police,
Paravakkottai Police Station,
Tiruvallur District.

3. The Public Prosecutor, High Court, Madras.

H.C.P. No. 185 of 2019

A.SK(07/11/2019)