



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.06.2017

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

H.C.P(MD)No.386 of 2017

C.Narayana Raj

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

2. The State
Rep by Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

: Respondents

Prayer: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus to direct the respondents to produce the person or body of the detainee Amaravathi W/O. C. Narayana Raj, aged about 36 years before this Court and set her at liberty.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.C.Ramesh,
Additional Public Prosecutor

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM**)

The petitioner is the husband of the detainee aged about 36 years who is missing from 15.02.2017. The respondent police have registered a case based on a complaint given by the petitioner and conducted an extensive investigation and found that the detainee is eloped with one Nareshkumar, leaving behind two minor children in the custody of the petitioner.

2. When the matter came up earlier, we directed the learned Additional public prosecutor to verify as to whether the children are safe and accordingly the learned Additional Public Prosecutor submitted that the children are safe with the family and has also produced a photograph.



3.The investigation reveals that there are cell phone conversation with the said Naresh Kumar and the location of the tower is somewhere near Vijayawada, Andhra Pradesh.

4.Considering the fact that it is a case of elopement, We direct the second respondent police to take effective steps and investigate the case and produce the detainee before the Jurisdictional Magistrate with in a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this habeas corpus petition is disposed of.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kannyakumari District,
At Nagercoil.
2. The State
Rep by Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ARUL/DSK

PSM/KP/SAR1/15.06.2017/2P/4C

H.C.P (MD) No.386 of 2017
09.06.2017