

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2018

CORAM:

THE HON'BLE DR. JUSTICE S.VIMALA
AND
THE HON'BLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P.No.2097 of 2017

V.Ramamoorthy

... Petitioner

versus

1. State Rep. by
Inspector of Police,
Periyanaikkam Police Station,
Thirumalai Naikkan Palayam,
Coimbatore - 20.

2. Prabakaran

... Respondents

Habeas Corpus Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Habeas Corpus, to direct the first respondent to produce the petitioner's daughter Sudha, aged about 32 years, before this Court and set her at liberty.

For Petitioner : Mr.C.D.Johnson

For R1 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

This Habeas Corpus Petition has been filed by the father of the detainee aged about 58 years, who is taking care of her two children, seeking direction to the respondent to produce her daughter.

2. In the supporting affidavit, it is stated that the detainee was originally married to one Saravanan and had two children, namely, Mahibalan and Sugibalan. But, it is alleged that she was found to be missing on 19.02.2017, in respect of which, a complaint was lodged on 23.02.2017 with the first respondent and the first respondent had chosen to issue CSR No.66 of 2017. Later, a case has been registered in Cr.No.77 of 2018 under the head of "Women Missing" on 24.02.2018.

3. It is submitted by the learned Additional Public Prosecutor that the first respondent has taken earnest efforts to trace out the missing women and incidentally, they had tried to collect the call details of the second respondent; but, after some time, the mobile phone of the second respondent remained switched off, therefore, they are not able to move forward with further investigation. However, all essential steps have been taken out to identify the detainee as well as the second respondent and that investigation is in progress.

4. Under such circumstances, the first respondent is directed to proceed with the investigation and during investigation, if whereabouts of the detainee is known to the first respondent, it shall be intimated to the petitioner herein.

5. With these observations, the Habeas Corpus Petition is closed.

-s/d-
Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
Periyanaikkam Police Station,
Thirumalai Naikkan Palayam,
Coimbatore - 20.

2. The Public Prosecutor
High Court, Madras 104

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SP(09/08/2018)

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