



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 21.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 818 OF 2019

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Palani

.. Petitioner

- Vs -

1. The Superintendent of Police
Sivagangai District.

2. State, through
The Inspector of Police
Sivagangai Town Police Station
Sivagangai District.

.. Respondents

Petition filed for the issuance of a writ of habeas corpus directing the respondents to produce the body or person of the detainee, Jeyalakshmi, aged about 39 years, based on the earlier representation and also recent representation dated 5.8.2019, before this Hon'ble Court and set her at liberty.

For Petitioner : Dr. K.Malathi

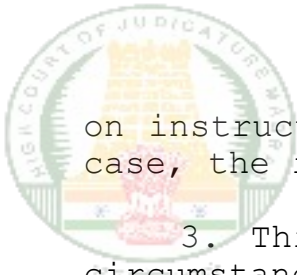
For Respondents : Mr. K.Dinesh Babu, APP

ORDER

(Order of the Court was made by M.Sathyanarayanan, J.)

The petitioner is the husband of the detainee, viz., Jeyalakshmi, aged about 39 years and according to him, he is eking out his livelihood as a driver. On 31.7.18, the sister of the petitioner was not well and was getting admitted in the Government Hospital, Sivagangai and for helping her, the petitioner sent his wife, viz., the detainee, and from that day onwards, she is found missing and the efforts taken by the petitioner to trace his wife became futile and, therefore, he lodged a complaint dated 5.8.19 on the file of the 2nd respondent based on which a case in Crime No.412/19 was registered on 16.08.2019 for 'Woman Missing'. It is further averred by the petitioner that out of wedlock with the detainee, they begot two male children and one female child and that the petitioner is finding it difficult to maintain them considering the fact that he is a driver and, therefore, the petitioner prays for appropriate orders.

2. The Court heard the submissions of Mr.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice for the respondents and



on instructions, submit that with regard to the registration of the case, the investigation is proceeding on right lines.

3. This Court, taking into consideration the above facts and circumstances, directs the 2nd respondent to conduct speedy and quality investigation in respect of the case registered in Crime No. 412/19 and take all out efforts to trace the detainee and during the course of investigation if the detainee is traced, after keeping the petitioner informed in advance, the detainee shall be produced before the Court of the learned Judicial Magistrate, Sivagangai, for passing appropriate orders as to her custody. The 2nd respondent shall also keep the petitioner informed periodically of the progress in the investigation. The Deputy Superintendent of Police, Sivagangai, is directed to monitor the investigation conducted by the 2nd respondent and give necessary inputs to the 2nd respondent for conducting speedy and effective investigation.

4. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Sivagangai District.
2. The Inspector of Police
Sivagangai Town Police Station
Sivagangai District.
3. The Deputy Superintendent of Police
Sivagangai District.
4. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1 CC to M/s.K. MALATHI, Advocate (SR-82728[F] dated 21/08/2019)

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