



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 868 OF 2019

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Muthuvel

.. Petitioner

- Vs -

1. The Superintendent of Police
Virudhunagar District.

2. The Deputy Superintendent of Police
Srivilliputtur, Virudhunagar Dt.

3. The Inspector of Police
Nathampatty Police Station
Virudhunagar District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing respondents to produce the body and person of the detainee, viz., Aythilakshmi, aged 22 years, before this Court and set her at liberty.

For Petitioner : Mr. S.Muniyandi

For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the husband of the detainee, viz., Aythilakshmi, aged about 22 years and alleging that she is missing from 21.11.18, lodged a complaint on the file of the 3rd respondent based on which a case in Crime No.224/2018 was registered on 22.11.18 for 'Woman Missing'. The petitioner, very much concerned about the safety, well being and whereabouts of his wife, came forward to file this petition.

2. Mr.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice for the 3rd respondent, on instructions submit that the wife of the petitioner - the detainee, has eloped with one Lakshmanan and in this regard, the wife of Lakshmanan has lodged a complaint on the file of the 3rd respondent based on which CSR No.381/2018 is pending and investigation of the case in Crime No.224/2018 is proceeding on the right lines.



3. This Court has considered the rival submissions and also perused the materials available in the typed set of documents.

4. This Court, taking into consideration the facts and circumstances, and the anxiety exhibited by the petitioner, directs the 3rd respondent conduct quality and speedy investigation and as and when the detainee is traced, she shall be produced before the Court of Judicial Magistrate No.1, Srivilliputtur, for passing appropriate orders as to her custody and before doing so, the 3rd respondent shall inform the petitioner in advance. The 3rd respondent shall also periodically inform the progress being made in the investigation to the petitioner. The Deputy Superintendent of Police, Srivilliputtur, Virudhunagar District, the 2nd respondent herein, shall also monitor the investigation and give necessary inputs to the 3rd respondent to carry out quality investigation.

5. 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
Virudhunagar District.
2. The Deputy Superintendent of Police
Srivilliputtur, Virudhunagar Dt.
3. The Inspector of Police
Nathampatty Police Station
Virudhunagar District.
4. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1 CC to Mr.S.MUNIYANDI, Advocate SR-84377.

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