



WEB COPY

H.C.P.(MD) No.757 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.757 of 2020

L.Selvaraj

... Petitioner

-vs-

1.The Commissioner of Police,
Trichy,
Trichy District.

2.The Deputy Commissioner of Police,
Trichy,
Trichy District.

3.The Assistant Commissioner of Police,
Cantonment Division, (L & O)
Cantonment,
Trichy District.

4.The Inspector of Police,
Cantonment Police Station, (L &O)
Cantonment,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 4 to produce the person or body of the petitioner's wife namely, Mrs.V.Uma aged about 58 years and hand over the detainee to him, found missing from 09.10.2019 onwards.

For Petitioner : Mr.RMS.Sethuraman

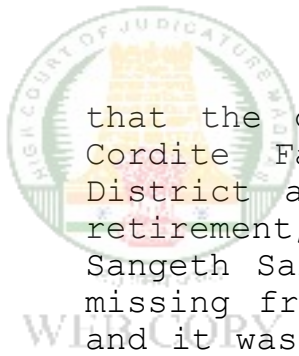
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The Habeas Corpus Petition has been filed for a direction to the respondents to produce the petitioner's wife, namely, Mrs.V.Uma, aged about 58 years and hand over her custody to the petitioner.

2.The petitioner is the husband of the detainee. It is his case
<https://hcservices.ecourts.gov.in/hcservices/>



that the detinue served as a Higher Secondary School Teacher in Cordite Factory Higher Secondary School, Aruvankadu, Neelgiris District and she retired from service in the year 2017. After retirement, the petitioner and the detinue along with their son Sangeth Santharaam were living at Trichy. While so, she was found missing from 09.10.2019 and a complaint was given on the next day and it was registered as Crime No.1002 of 2019 under women missing. Since no appropriate action was taken by the respondents for more than a year, the present petition has been filed.

3.Heard Mr.RMS.Senthuraman, learned counsel for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents.

4.When the matter is taken up for hearing, the learned Additional Public Prosecutor has produced a certificate, dated 22.12.2020, stating that based on the complaint of the petitioner, a criminal case was registered on 10.10.2019, but the detinue could not be traced so far, despite all procedures had been followed. The learned Additional Public Prosecutor would state that based on the certificate issued by the third respondent, dated 22.12.2020, the present habeas corpus petition can be closed and the fourth respondent will pursue the criminal case to trace the detinue.

5.Recording the submission of the learned Additional Public Prosecutor, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

- 1.The Commissioner of Police,
Trichy,
Trichy District.
- 2.The Deputy Commissioner of Police,
Trichy,
Trichy District.
- 3.The Assistant Commissioner of Police,
Cantonment Division, (L & O)
Cantonment,
Trichy District.
- 4.The Inspector of Police,
Cantonment Police Station, (L &O)
Cantonment,
Trichy District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.757 of 2020

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