

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 543 of 2020

A.Anandan .. Petitioner/Complainant
Vs.

1.The Inspector of Police,
M-2, Milk Colony Police Station,
Chennai - 600 051.

2.Venkatesan ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing respondents 1 and 2 to produce petitioner's wife and two children viz., Mrs.Radhika (F/33 years), A.Anish (M/11 years) and A.Anushka (F/9 years) by body and person before this Court from the illegal custody of the second respondent and set them at liberty.

For Petitioner : Ms.S.Sujatha
For Respondents : Mr.R.Prathap Kumar,
Addl. Public Prosecutor
for R1

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

Seeking a direction to the respondents 1 and 2 to produce the petitioner's wife and two children viz., Radhika, aged about 33 years, A.Anish, aged about 11 years and A.Anushka, aged about 9 years before this Court from the illegal custody of the second respondent and to set them at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his wife Radhika, aged about 33 years along with his two children A.Anish, aged about 11 years and A.Anushka, aged about 9 years are in the illegal custody of Venkatesan (second respondent) and that the police have not taken effective steps to secure them.

3.Today, Mr.G.Vivek Raj, Sub Inspector of Police, Madhavaram Milk Colony Police Station is present.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Madhavaram Milk Colony P.S.Crime No.34 of 2020 was registered on 03.02.2020 for woman missing and children missing and investigation is in progress. Investigation conducted so far revealed that Radhika has eloped with the second respondent.

5.In view of the above, this habeas corpus petition stands closed with a direction to the Assistant commissioner of police, Madhavaram to monitor the investigation in Madhavaram Milk Colony P.S. Crime No.34 of 2020 and keep the petitioner informed of the developments if any. As and when the detenus are secured, they may be produced before the Judicial Magistrate, Madhavaram, under intimation to the petitioner, for passing appropriate orders.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

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To

- 1.The Inspector of Police,
M-2, Milk Colony Police Station,
Chennai - 600 051.
- 2.The Assistant Commissioner of Police
Madhavaram, Chennai.
- 3.The Public Prosecutor, High Court, Madras.

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RSI (CO)
NRA (09/03/2021)