

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

Coram

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

H.C.P. No. 644 of 2020

R.Kirubakaran

..Petitioner

Vs.

- 1.The Superintendent of Police,
Namakkal District, Namakkal.
- 2.The Inspector of Police,
Senthamangalam Police Station,
Senthamangalam, Namakkal District.

3.Sowndariya

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent to produce the body or person of petitioner's wife K.Sankari, aged about 25 years, and set her at liberty to the petitioner, who is under the illegal custody of the third respondent.

For Petitioner: Mr. SP.Yuaraj
For Respondents: Mr.R.Prathap Kumar
Addl. Public Prosecutor
for R1 and R2

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the second respondent to produce the petitioner's wife K.Sankari, aged about 25 years, who is under the illegal custody of the third respondent and to set her at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his wife Sankari, aged about 25 years went missing since 13.12.2019 and that the police have not taken effective steps to secure her.

3.Today, Mr.Thangaraj, Special Sub Inspector of Police, Sendhamangalam Police Station is present.

4.On instructions, the learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Sendhamangalam P.S. Crime No.23 of 2020 for 'woman missing' has been registered on 18.01.2020. Enquiries conducted by the police so far revealed that Sankari developed friendship with the third respondent and both of them are missing.

5.Recording the same, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Namakkal District to monitor the investigation in Sendhamangalam P.S. Crime No.23 of 2020 and keep the petitioner informed of the developments, if any. As and when Sankari is secured, she may be produced before the Judicial Magistrate, Sendhamangalam, under intimation to the petitioner.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi
To

- 1.The Superintendent of Police,
Namakkal District, Namakkal.
 - 2.The Inspector of Police,
Senthamangalam Police Station,
Senthamangalam, Namakkal District.
 - 3.The Deputy Superintendent of Police,
Namakkal District.
 - 4.The Judicial Magistrate,
Sendhamangalam, Namakkal District.
 - 5.The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.S.P. Yuvaraj, Advocate sr 6439.

H.C.P. No. 644 of 2020

RGN(CO)
SP(04/03/2021)