

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

Coram

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

H.C.P. No. 652 of 2020

Elangovan

.. Petitioner

Vs

State Rep. by

1. The Superintendent of Police,
Office of the Superintendent,
Thiruvallur District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruthani,
Thiruvallur District.

3. The Inspector of Police,
D-6, Pothatturpet Police Station,
Thiruvallur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's wife and two sons namely 1)B.G.Anjali, w/o. Elangovan, aged about 25 years 2) V.E.Susikumar, s/o. Elangovan, aged about 9 years 3) V.E.Aicharan, s/o. Elangovan, aged about 8 years, before this Court and set the petitioner's wife her at liberty and consequently hand over the custody of the petitioner's children.

For Petitioner : Mr.R.Sasikumar
For Respondents : Mr.R.Prathap Kumar,
Addl.Public Prosecutor

ORDER

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

Seeking a direction to the respondents to produce the petitioner's wife and two sons namely 1)B.G.Anjali, aged about 25 years 2) V.E.Susikumar, aged about 9 years and 3) V.E.Aicharan, aged about 8 years, before this Court and set the petitioner's wife her at liberty and to hand over the custody of the children, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his wife Anjali, aged about 25 years has gone missing along with two children viz., Susikumar, aged about 9 years and Aicharan, aged about 8 years and that the police are not taking effective steps to secure them.

3.Today, Mr.C.Balaji from D6 Podhaturpet Police Station is present.

4.On instructions, learned Additional Public Prosecutor submitted that on account of marital discord, Anjali left the company of the petitioner along with two children. On the complaint given by the petitioner, a case in D6 Podhaturpet Police Station Crime No.94 of 2020 was registered on 14.03.2020 for woman and children missing and all of them were secured by the police on 21.03.2020 and they were produced before the Child Welfare Committee, Thiruvallur on 23.03.2020. During enquiry, Anjali stated that she does not want to go with the petitioner and therefore, the custody of Anjali and two children were given to the parents of Anjali.

5.Recording the same, this habeas corpus petition stands closed.

Sd/-

सत्यमेव जयते Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mmi

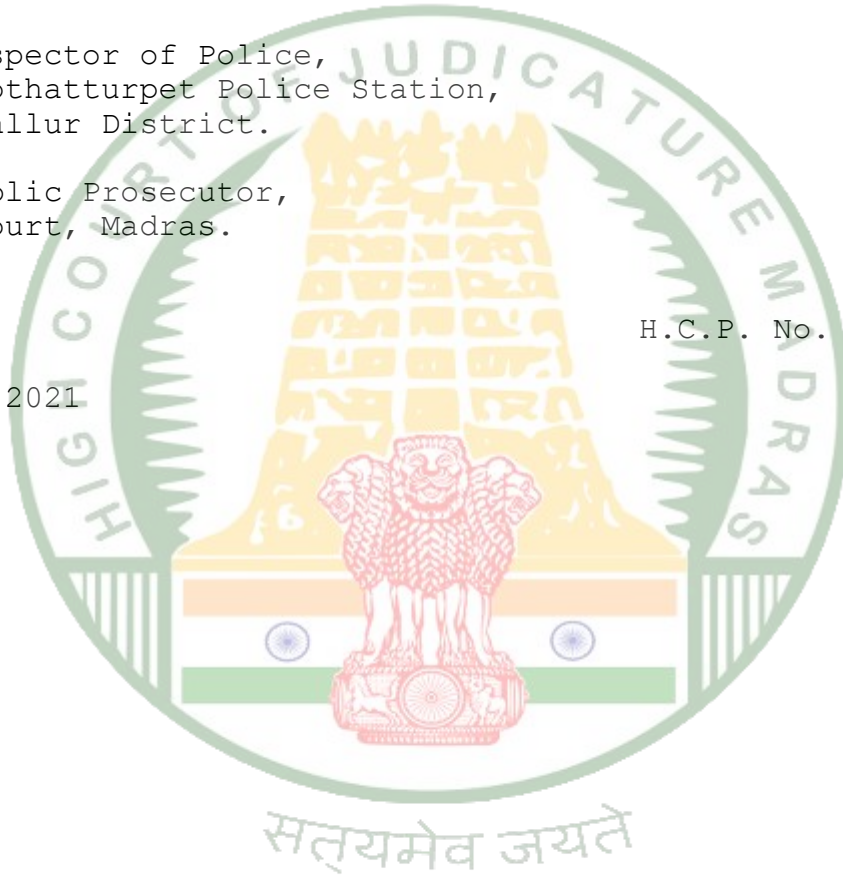
WEB COPY

To

1. The Superintendent of Police,
Office of the Superintendent,
Thiruvallur District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruthani, Thiruvallur District.
3. The Inspector of Police,
D-6, Pothatturpet Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

GMI (CO)
CSR 23.03.2021

H.C.P. No. 652 of 2020



WEB COPY