



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH  
AND  
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.NO.746 OF 2021

G.Chithamparathammal  
W/o.Ganesan

.. Petitioner/Mother

Vs.

1. The District Superintendent of Police,  
Salem District.

2. State represented by  
The Inspector of Police,  
Pallapatty Police Station,  
Salem - 636 004.

.. Respondents

PRAYER:-

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the second respondent to produce the detainees viz., (1) Umadevi, aged 34 years, (2) Subavinesh, aged 8 years and (3) Miruthula Sri, aged 4 years, before this Court and set them at liberty.

For Petitioner : Mr.Sarath Chandran

For Respondents : Mr.R.Muniyapparaj  
Government Advocate [Crl.side]

ORDER

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

This petition has been filed seeking a direction to the second respondent to produce the detainees viz., (1) Umadevi, aged 34 years, (2) Subavinesh, aged 8 years and (3) Miruthula Sri, aged 4 years, before this Court and set them at liberty.



2. It is the case of the petitioner that her daughter Umadevi got married to one Kannan and through him, she has two children viz., Subavinesh and Miruthula Sri. It appears that Kannan is working in the railways and on account of marital discord, Umadevi got estranged from her husband Kannan. Umadevi left the house with two children saying that she is going to Tirupathi and thereafter, the whereabouts of Umadevi and the two children are not known to the petitioner. On the complaint lodged by the petitioner, a case in Pallapatti Police Station Crime No.195 of 2021 was registered on 17.04.2021 for woman, boy and girl missing.

3. Today, Mr.S.Thangaraju, Sub-Inspector of Police, D2, Pallapatti Police Station, Salem, is present.

4. On instructions, learned Government Advocate [crl.side] submits that the investigation conducted by the police reveals that Umadevi developed intimacy with one Hariramachandakumar, a native of West Bengal, who was employed in the railways and efforts were taken by the police to trace them through travel location, but in vain.

5. In view of the above, it cannot be stated that Umadevi and her children are in illegal custody. However, we direct the Deputy Superintendent of Police, Salem City, to monitor the investigation in Pallapatti Police Station Crime No.195 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainees are secured, they shall be produced before the learned Judicial Magistrate III, Salem, under intimation to the petitioner. On such production, the learned Judicial Magistrate shall pass appropriate orders.

With the above direction, this Habeas Corpus Petition is disposed of.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Judicial Magistrate III,  
Salem.



2. The District Superintendent of Police,  
Salem District.

3. The Inspector of Police,  
Pallapatty Police Station,  
Salem - 636 004.

4. The Public Prosecutor,  
High Court, Madras.

H.C.P.No.746 of 2021

SV-I (CO)  
PBS/19/08/2021