

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice V.SIVAGNANAM

H.C.P. No.1967 of 2020

C.Kumar

.. Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.

2.State represented by
The Inspector of Police,
Kannagi Nagar Police Station,
Kannagi Nagar,
Chennai - 600 097.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent herein to produce the petitioner's wife viz., Priya, wife of Kumar, aged about 41 years and petitioner's son viz., Sureshkumar, son of Kumar, aged about 19 years before this Court and set them at liberty forthwith.

For Petitioner : Mr.C.Peranban

For Respondents: Mr.R.Prathap Kumar

Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the second respondent herein to produce the petitioner's wife viz., Priya, wife of Kumar, aged about 41 years and petitioner's son viz., Sureshkumar, son of Kumar, aged about 19 years before this Court and set them at liberty forthwith.

2. It is the case of the petitioner that his wife Priya, aged about 41 years and son Sureshkumar, aged about 19 years, have gone missing and that the police are not taking effective steps to secure them.

3. Today, Mr.G.Rameshbabu, Special Sub-Inspector of Police, J-11, Kannagi Nagar Police Station, is present.

4. On instructions, the learned Additional Public Prosecutor submitted as follows:

- (a)Kumar got married to Priya and they have a son Sureshkumar, aged about 19 years, who is mentally challenged;
- (b)Opposite to their house, there is a couple Ramesh and Kousalya, who have a son Ramachandran, aged about 17 years;
- (c)Kumar is addicted to liquor and therefore, to augment the family income Priya started taking tuition for Ramachandran;
- (d)At that time, Priya was sexually harassed by Ramesh;
- (e)When Priya complained this to her husband Kumar, he did not take any action;
- (f)Therefore, out of frustration, Priya had gone away with her son Sureshkumar and her student Ramachandran since 21.09.2020; and
- (g)In this regard, on a complaint given by Kousalya, a case in Kannagi Nagar Police Station Crime No.1068 of 2020 has been registered on 22.09.2020 for missing of Priya, her son Sureshkumar and her student Ramachandran and investigation is in progress.

Recording the same, this habeas corpus petition is closed with a direction to the Assistant Commissioner of Police, Thuraipakkam, to monitor the investigation in Kannagi Nagar Police Station Crime No.1068 of 2020 and keep the petitioner and Kousalya informed of the developments, if any. As and when Priya, Sureshkumar and Ramachandran are secured, they may be produced before the Judicial Magistrate Court No.II, Alandur, under intimation to the petitioner and Kousalya. On such production, the learned Magistrate shall pass appropriate orders in accordance with law.

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Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

nsd

To

1.The Judicial Magistrate No.II,
Alandur.

2.The Assistant Commissioner of Police,
Thuraipakkam.

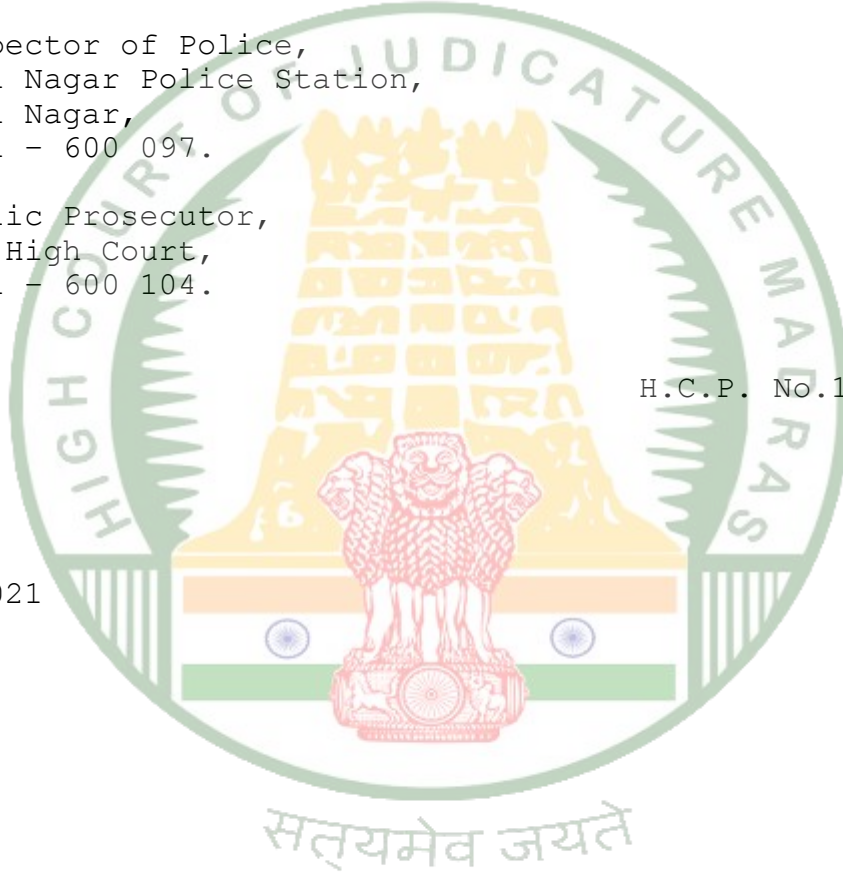
3.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.

4.The Inspector of Police,
Kannagi Nagar Police Station,
Kannagi Nagar,
Chennai - 600 097.

5.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

H.C.P. No.1967 of 2020

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