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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1321 of 2021

Thangavel @ Thangaraj
S/o.Subramani

.. Petitioner

Vs.

1. The Commissioner of Police,
Salem City,
Salem.

2. The Inspector of Police,
Kitchipalayam Police Station,
Salem District.

.. Respondents

Habeas Corpus 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 petitioner's wife Prema, aged 38 years, immediately, before this Court and set her at liberty.

For Petitioner : Mr.B.Balamurugan

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

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 petitioner's wife Prema, aged 38 years, immediately, before this Court and set her at liberty.

2. On 31.08.2021, we passed the following order:

'We direct the petitioner to go in person to the 2nd



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respondent police station and lodge a written complaint about the missing of his wife viz., Prema and on such written complaint being given, the 2nd respondent is directed to register a regular FIR for woman missing and take up the investigation.

Post this matter on 21.09.2021.'

3. Learned Additional Public Prosecutor appearing for the State submitted that pursuant to the above order, the petitioner went in person and gave a written complaint, based on which, a case in Kitchipalayam P.S. Crime No.430 of 2021 for 'woman missing' was registered on 31.08.2021.

4. In view of the above, we direct the Assistant Commissioner II, Salem City (South), to supervise the investigation in Kitchipalayam P.S. Crime No.430 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee is secured, she shall be produced before the Judicial Magistrate II, Salem, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

With the above direction, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Judicial Magistrate II,
Salem.
2. The Commissioner of Police,
Salem City,
Salem.
3. The Assistant Commissioner of Police,
Salem City,
Salem.



4. The Inspector of Police,
Kitchipalayam Police Station,
Salem District.

5. The Public Prosecutor,
High Court, Madras.

+2ccs to M/s.B.Bala Murugan, Advocate, S.R.No.44219

H.C.P.No.1321 of 2021

RR(CO)
SU(27/10/2021)