

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

Coram

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

The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 2462 of 2020

K.Venkatesan

.. Petitioner

Vs.

State by

1.The Inspector of Police,
Pennadam Police Station,
Pennadam, Cuddalore District.
(Cr.No.928 of 2020).

2.Vetrivel

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the first respondent to produce the petitioner's wife by name Jayanthi (aged about 27 years) and the petitioner's minor child by name Veera Makesh (aged about 3 years) before this Court from the custody of the second respondent and set them at liberty.

For Petitioner

... Mr.C.Prakasam

For Respondents

.. Mr.R.Prathap Kumar

Addl. Public Prosecutor
for R1

No appearance for R2

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ORDER

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

Seeking a direction to the first respondent to produce the petitioner's wife by name Jayanthi (aged about 27 years) and the petitioner's minor child by name Veera Makesh (aged about 3 years), before this Court from the custody of the second respondent and to set them at liberty, the present habeas corpus petition has been filed.

2. It is the case of the petitioner that his wife Jayanthi had gone missing with his minor daughter from 23.08.2020 and that despite a case registered in Crime No.928 of 2020, the police have not taken any steps to secure them.

3. Today, Mr.T.Radhakrishnan, Special Sub Inspector of Police, Pennadam Police Station, Cuddalore District is present.

4. On instructions, the learned Additional Public Prosecutor submitted that during the course of the investigation in Pennadam Police Station Crime No.928 of 2020, it came to light that the petitioner's wife has eloped with the second respondent. The petitioner himself in his affidavit has stated this fact. In such view of the matter, it cannot be stated that the alleged detenus are in the illegal custody of any one.

5. Hence this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Virudhachalam Sub-Division, to monitor the investigation in Crime No. 928 of 2020, Pennadam Police Station, and keep the petitioner informed of the developments, if any. As and when the detenus are secured, they may be produced before the Judicial Magistrate, Thittakudi, Cuddalore District, under intimation to the petitioner.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

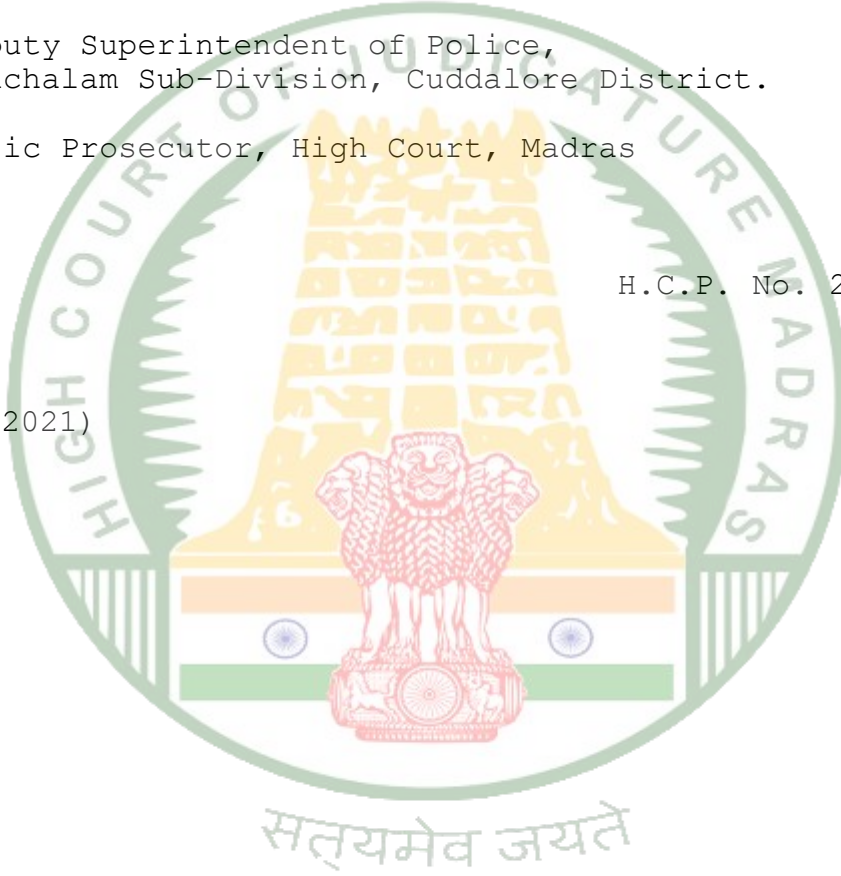
ssm

To

- 1.The Inspector of Police,
Pennadam Police Station,
Pennadam, Cuddalore District.
- 2.The Judicial Magistrate,
Thittakudi, Cuddalore District.
3. The Deputy Superintendent of Police,
Virudhachalam Sub-Division, Cuddalore District.
- 4.The Public Prosecutor, High Court, Madras

H.C.P. No. 2462 of 2020

RP (CO)
NRA (04/02/2021)



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