

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2021

Coram

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

H.C.P. No.2033 of 2020

C.Kalai Arasi

.. Petitioner

Vs.

1.The Superintendent of Police,
Coimbatore.

2.Inspector of Police,
Sultanpet, Coimbatore District.

3.Maheshwari

4.Dinesh

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the first and second respondents to produce the son of the petitioner C.Silambarasan, aged 29 years, before this Court or his body and set him at liberty forthwith.

For Petitioner : Ms.V.Geetha Rani

For RR 1 and 2 : Mr.R.Prathap Kumar

Additional Public Prosecutor

For R3 and R4 : No appearance

ORDER

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

This habeas corpus petition has been filed seeking to direct the first and second respondents to produce the son of the petitioner C.Silambarasan, aged 29 years, before this Court or his body and set him at liberty forthwith.

2. It is the case of the petitioner that her son C.Silambarasan, aged about 29 years, went missing from 21.05.2021 and that the police are not taking effective steps to secure him. It is the allegation of the petitioner that Maheshwari, third respondent herein, wife of Silambarasan, is allegedly having an affair with one Dinesh, fourth respondent

herein and they both would have conspired to get rid of Silambarasan.

3. It is seen that on a complaint given by Maheshwari, third respondent herein, the police have registered a case in Sulthanpettai Police Station Crime No.253 of 2020 on 23.05.2020 for 'man missing' and investigation is in progress. Since this Court was not satisfied with the progress of the investigation, the case in Sulthanpettai Police Station Crime No.253 of 2020 was transferred to the file of the Deputy Superintendent of Police, Karumathampatti Sub-Division, for proper investigation.

4. Today, Mr.N.Suryamoorthy (Mobile No.94981 68471), Deputy Superintendent of Police, Karumathampatti Sub-Division, is present and has filed a detailed status report, wherein, he has stated about the steps that has been taken by him to find out the whereabouts of Silambarasan. The investigation conducted by him so far revealed that Silambarasan was addicted to liquor and has left the matrimonial home after quarrelling with his wife Maheshwari, third respondent. As regards the allegation of the petitioner that Maheshwari, third respondent and Dinesh, fourth respondent, were having an affair and they would have got rid of Silambarasan, the status report shows that the said allegation is unfounded.

5. We are satisfied with the progress in the investigation by the Deputy Superintendent of Police, Karumathampatti Sub-Division. He shall continue his investigation and keep the petitioner informed of the developments, if any. As and when Silambarasan (detenu) is secured, he may be produced before the Judicial Magistrate Court, Sulur, under intimation to the petitioner and Maheshwari, third respondent.

Recording the same, this habeas corpus petition is closed.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

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nsd
To

1.The Judicial Magistrate,
Sulur.

2.The Deputy Superintendent of Police,
Karumathampatti Sub-Division.

3.The Superintendent of Police,
Coimbatore.

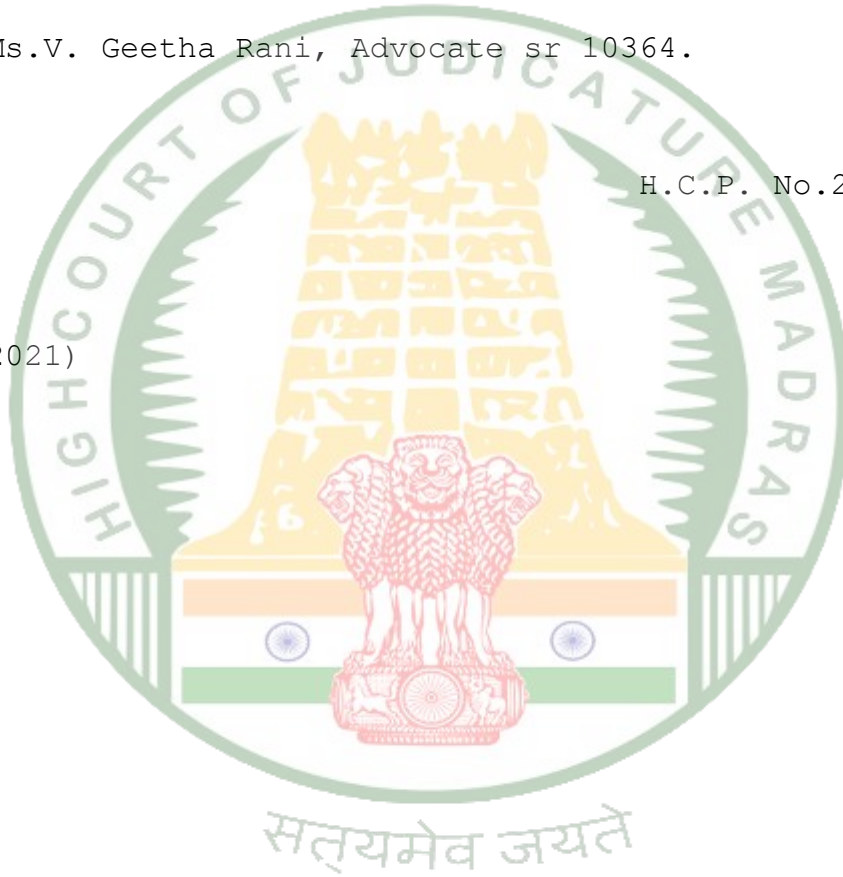
4.The Inspector of Police,
Sultanpet, Coimbatore District.

5.The Public Prosecutor,
High Court, Madras.

+1 CC to Ms.V. Geetha Rani, Advocate sr 10364.

H.C.P. No.2033 of 2020

KK(CO)
SP(15/03/2021)



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