



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.1576 of 2021

Noorjahan @ Nisha ...Petitioner/Wife of detenue

Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. The Inspector of Police,
Redhills Police Station,
Chennai.

3.Tilaka

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to secure and produce the petitioner's husband Dinesh, S/o.Amarasingam, aged about 38 years, before this Court from the custody of the 3rd respondent and set him at liberty.

For Petitioner : Mr.M.P.Saravanan
for Mr.J.Samiullah

For RR 1 and 2 : Mr.R.Muniyapparaj
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the 1st and 2nd respondents to secure and produce the petitioner's husband Dinesh, S/o.Amarasingam, aged about 38 years, before this Court from the custody of the 3rd respondent and set him at liberty.

2. It is the case of the petitioner that she got married to Dinesh on 24.08.2020 and he was working in a rice mill in Redhills. It is the further case of the petitioner that Dinesh went missing from 14.06.2021 and she suspect that he has been abducted by Tilaka, third respondent herein.



3. On instructions, the learned Additional Public Prosecutor submitted that Dinesh is a Srilankan refugee and was lodged in Srilankan Refugee Camp at Puzhal.

4. It is also seen that the petitioner had not produced any document to show that she has got married to Dinesh.

5. Since FIR has been registered in Redhills Police Station Crime No.1088 of 2021 for 'man missing', we direct the Assistant Commissioner of Police, Puzhal, to supervise the investigation in Redhills Police Station Crime No.1088 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu Dinesh, aged about 38 years, is secured, he shall be produced before the Judicial Magistrate Court No.II, Ponneri, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

With the above directions, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

nsd

To

1. The Judicial Magistrate No.II,
Ponneri.
2. The Assistant Commissioner of Police,
Puzhal.
3. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
4. The Inspector of Police,
Redhills Police Station,
Chennai.
5. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

H.C.P.No.1576 of 2021

BS[co]

NSK 27/10/2021