



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2021

CORAM

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

H.C.P.NO.1466 OF 2021

M.Elumalai

... Petitioner

.Vs.

1. State represented by
The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai - 43.

2. Jamal

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the 1st respondent herein to produce the body and person of the said detainee Efzibha, the wife of the petitioner, aged 25 years, before this Court and thereafter set her at liberty.

For Petitioner : Mr.P.Paramasivam

For R1 : Mr.R.Muniyapparaj
Additional Public
Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the first respondent herein to produce the body and person of the detainee Efzibha, wife of the petitioner, aged about 25 years, before this Court and thereafter, set her at liberty.

2. It is the case of the petitioner that his wife Efzibha, aged about 25 years, is in the illegal custody of the second respondent herein and that the police are not taking effective steps to secure her.



3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Pallavaram Police Station Crime No.455 of 2021 for 'woman missing' was registered on 02.09.2021 and the enquiry conducted so far revealed that Efzibha has eloped with Jamal, second respondent herein.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Pallavaram, to supervise the investigation in Pallavaram Police Station Crime No.455 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue Efzibha, aged about 25 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Tambaram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Judicial Magistrate No.II,
Tambaram.
2. The Assistant Commissioner of Police,
Pallavaram.
3. The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai - 43.
4. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.S.Ramachandran, Advocate, S.R.No.48744

H.C.P.No.1466 of 2021

PA (CO)
PM/28/10/2021