

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2021

Coram

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

H.C.P. No.2331 of 2020

Ganesh

..Petitioner

Vs.

1. The Commissioner of Police,
Commissioner's Office,
Poonamallee High Road,
Chennai.

2. The Inspector of Police,
Thiruverkadu Police Station,
Chennai District.

3. Jayakannan

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus calling for the records in Crime No.983 of 2020 dated 06.11.2020 on the file of the second respondent and direct the respondents herein to produce the petitioner's wife named Gowsalya, F/A 23 years, and petitioner's daughter child named Dhanshika, F/A 2 years, by person or body before this Court and set them at liberty.

For Petitioner .. Mr.S.Silambuselvan

For Respondents .. Mr.R.Prathap Kumar,
Addl. Public Prosecutor
for R1 and R2

ORDER

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

Seeking to issue a writ of habeas corpus and calling for the records in Crime No.983 of 2020 dated 06.11.2020 on the file of the second respondent to produce the petitioner's wife named Gowsalya, female, aged 23 years, and petitioner's daughter child named Dhanshika, female, aged 2 years, by person or body before this Court 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 Kausalya had gone missing with his daughter since 06.11.2020 and that the police have not taken any action to secure them.

3. Today, Mr.N.Sivakumar, HC-35301, T-5 Thiruverkadu Police Station is present before this Court. On instructions, Mr.R.Prathap Kumar, learned Additional Public Prosecutor submitted that on a compliant given by the petitioner, a regular case in Crime No.983 of 2020 for women and child missing has been registered by the police and the investigation is in progress. He further stated that the investigation conducted so far revealed that Kausalya has eloped with the third respondent.

4. In view of the above, this habeas corpus petition is closed with the direction to the Deputy Superintendent of Police, Thiruverkadu to monitor the investigation in Thiruverkadu PS Crime No.983 of 2020 and keep the petitioner informed of the developments, if any. If the detainee is secured, she may be produced before the jurisdictional Magistrate under due intimation to the petitioner.

Sd/-

Assistant Registrar(cs ii)

//True Copy//

ssm
To

Sub Assistant Registrar

1. The Commissioner of Police,
Commissioner's Office,
Poonamallee High Road,
Chennai.
2. The Deputy Superintendent of Police,
Thiruverkadu, Chennai.
3. The Inspector of Police,
Thiruverkadu Police Station,
Chennai District.
4. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 2331 of 2020

ssm(CO)
rv(29/01/2021)