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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

H.C.P.NO.1650 OF 2021

K.Nagarajan

.. Petitioner

Vs.

1. State represented by
The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram District.

2. State represented by
The Inspector of Police,
Kanjapur Police Station,
Villupuram District.

3. Ashokan

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's wife N.Sumathi, aged about 40 years, before this Court, who is now in the illegal detention and custody of the 3rd respondent herein and set her at liberty.

For Petitioner : Mr.D.Senthil Kumar

For Respondents : Mr.R.Muniyapparaj,
Addl. Public Prosecutor



ORDER

[Order of the Court was made by S.SRIMATHY, J.]

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This habeas corpus petition has been filed seeking to direct the 2nd respondent to produce the petitioner's wife N.Sumathi, aged about 40 years, before this Court, who is now in the illegal detention and custody of the 3rd respondent herein and set her at liberty.

2. It is the case of the petitioner that his wife Sumathi, aged about 40 years, went missing from 25.08.2021 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 Kanjanur Police Station Crime No.422 of 2021 for 'woman missing' was registered on 26.08.2021 and during the course of investigation, it came to light that Sumathi has eloped with Ashokan, third respondent herein.

In such view of the matter, this habeas corpus petition stands closed and we direct the Deputy Superintendent of Police, Gingee, to supervise the investigation in Kanjanur Police Station Crime No.422 of 2021 and keep the petitioner informed of the developments, if any. As and when Sumathi, aged about 40 years, is secured, she shall be produced before the District Munsif-cum-Judicial Magistrate Court, Vikravandi, 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(CO)

// True Copy //

Sub Assistant Registrar

nsd

To

1. The District Munsif-cum-Judicial Magistrate,
Vikravandi.



2. The Deputy Superintendent of Police,
Gingee.

3. The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram District.

4. The Inspector of Police,
Kanjannur Police Station,
Villupuram District.

5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1650 of 2021

BP(CO)
RLP(22/11/2021)