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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2021

CORAM

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

H.C.P.NO.1673 OF 2021

Noor

.. Petitioner/Wife of Detenue

Vs.

1. The Commissioner of Police
Greater Chennai
Vepery, Chennai
2. The Inspector of Police
Pallikaranai Police Station
St. Thomas Mount
Chennai-100

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent police to secure and produce the petitioner's husband viz., Nijamudeen, aged about 57 years, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



O R D E R

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

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It is the case of the petitioner that her husband viz., Nijamuthin, aged about 57 years, went missing from 29.06.2021 and his whereabouts are not known and that the police are not taking effective steps to secure him.

2. Today, Mr.C.Lakshmanan, Sub-Inspector of Police, S-10 Pallikaranai Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Pallikaranai P.S.Crime No.708 of 2021 for "man missing" has been registered on 03.07.2021 and that the preliminary investigation conducted by the police revealed that the alleged detenu is in an old age home. Hence, the learned Additional Public Prosecutor sought further time, for tracing the whereabouts of the alleged detenu.

Under such circumstances, this Habeas Corpus Petition is closed with a direction to the Assistant Commissioner of Police, St. Thomas Mount, to supervise the investigation that is being conducted in Pallikaranai P.S.Crime No.708 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu is secured, he shall be produced before the Judicial Magistrate, Alandur, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of the detenu.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Alandur



2. The Commissioner of Police
Greater Chennai, Vepery, Chennai

3. The Assistant Commissioner of Police
St. Thomas Mount, Chennai

4. The Inspector of Police
Pallikaranai Police Station
St. Thomas Mount, Chennai-100

5. The Public Prosecutor
High Court, Madras.

H.C.P.No.1673 of 2021

RR(CO)
RLP(12/11/2021)