



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM

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

H.C.P.NO.1753 OF 2021

P.Raji

... Petitioner

.Vs.

1. The Superintendent of Police,
Vellore District.
2. The Deputy Superintendent of Police,
Gudiyatham, Vellore District.
3. The Inspector of Police,
Gudiyatham Rural,
Gudiyatham, Vellore District.
4. The Special Sub-Inspector of Police,
Gudiyatham Police Station,
Vellore District.

3. T.Thillai Ramanan

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to secure and produce the petitioner's wife Poornima, aged 30, W/o.P.Raji, and minor son Surya, S/o.P.Raji, aged 7 years, from the illegal custody of the 5th respondent before this Court and set them at liberty.

For Petitioner : Mr.M.P.Jayaprakash

For RR 1 to 4 : Mr.R.Muniyapparaj,
Additional Public Prosecutor



ORDER

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

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This habeas corpus petition has been filed seeking to direct the respondents to secure and produce the petitioner's wife Poornima, aged about 30 years and minor son Surya, aged about 7 years, from the illegal custody of the 5th respondent, before this Court and set them at liberty.

2. It is the case of the petitioner that his wife Poornima, aged about 30 years and his minor son Surya, aged about 7 years, went missing from 27.08.2021 and that the police are not taking effective steps to secure them. It is the further case of the petitioner that his wife Poornima is in the illegal custody of the 5th respondent.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Gudiyatham Town Police Station Crime No.365 of 2021 has been registered on 01.09.2021 for 'woman and boy' missing and investigation is in progress.

Recording the same, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Gudiyatham Sub-Division, to supervise the investigation in Gudiyatham Town Police Station Crime No.365 of 2021 and keep the petitioner informed of the developments, if any. As and when Poornima, aged 30 years and Surya, aged about 7 years, are secured, they shall be produced before the Judicial Magistrate Court, Gudiyatham, 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 Judicial Magistrate,
Gudiyatham.



2. The Superintendent of Police,
Vellore District.
3. The Deputy Superintendent of Police,
Gudiyatham, Vellore District.
4. The Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham, Vellore District.
5. The Special Sub-Inspector of Police,
Gudiyatham Police Station,
Vellore District.
6. The Public Prosecutor,
High Court, Madras.

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BP (CO)
PBS/06/12/2021