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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mrs. Justice R. HEMALATHA

H.C.P.No.1849 of 2021

Soniya

...Petitioner

Vs.

1. The Deputy Commissioner of Police,
Butt Road, St. Thomas Mount,
Chennai 600 016.

2. The Inspector of Police,
Selaiyur Police Station,
Chengalpet District.

3. Mr. George
4. Mrs. Kanaka Bai
5. Merlin Sharmila
6. Sudhan Bennites

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce petitioner's husband, namely Alen Levin Kumar, aged 35 years, before this Hon'ble Court and set him at liberty from the custody of the respondents 3 to 6 herein.

For Petitioner : Mr.V. Rajesh

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the respondents to produce the petitioner's husband, namely Alen Levin Kumar, aged 35 years, before this Hon'ble



Court and set him at liberty from the custody of the respondents 3 to 6 herein.

2. It is the case of the petitioner that she got married to Alen Levin Kumar on 04.06.2018 and through the wedlock, she has a son, who is 2½ years old. It is the grievance of the petitioner that her husband went missing from 09.11.2020 and that his whereabouts are not known.

3. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Selaiyur Police Station Crime No.1194 of 2020 has been registered on 13.11.2020 for "man missing" and during the course of enquiry, it came to light that the petitioner's husband had borrowed money from various persons and he is in abscondence.

4. Recording the same, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Selaiyur, to supervise the investigation in Selaiyur Police Station Crime No.1194 of 2020 and keep the petitioner informed of the developments, if any. As and when the detenu Alen Levin Kumar, 35 years, is secured, he shall be produced before the Judicial Magistrate No.I, Tambaram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

bga
To

1. The Judicial Magistrate No.I, Tambaram.
2. The Assistant Commissioner of Police, Selaiyur,
3. The Deputy Commissioner of Police,
Butt Road, St. Thomas Mount,
Chennai 600 016.
4. The Inspector of Police,
Selaiyur Police Station,
Chengalpet District.



5. The Public Prosecutor,
High Court, Madras.

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+1 CC to Mr.V. Rajesh, Advocate sr 59260.

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RGN(CO)
SP(30/11/2021)