



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

H.C.P.No.1838 of 2021

Sivakumar

.. Petitioner

Vs.

- 1.The Superintendent of Police,
Kancheepuram District.
- 2.The Inspector of Police,
Sriperumpudur Police Station,
Kancheepuram District.
Crime No.1238 of 2021.

3.Suresh

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus calling for the records in Crime No.1238 of 2021 dated 30.09.2021 on the file of the 2nd respondent and direct the respondents 1 and 2 herein to produce the petitioner's wife Kalaiselvi, aged about 24 years, who was in the illegal custody of the 3rd respondent herein, by person or body before this Court and set her at liberty.

For Petitioner : Mr.S.Silambuselvan

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 call for the records in Crime No.1238 of 2021 dated 30.09.2021 on the file of the 2nd respondent and direct the respondents 1 and 2 herein to produce the petitioner's wife Kalaiselvi, aged about



24 years, who was in the illegal custody of the 3rd respondent herein, by person or body before this Court and set her at liberty.

2. It is the case of the petitioner that he got married to Kalaiselvi and through the wedlock, he has two children. It is his further case that Kalaiselvi left the house on 27.09.2021 and thereafter, her whereabouts are not known.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Sriperumbudur Police Station Crime No.1238 of 2021 has been registered on 30.09.2021 for 'woman missing' and during the course of investigation, it came to light that Kalaiselvi has eloped with Suresh, third respondent herein.

Recording the same, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Sriperumbudur Sub-Division, to supervise the investigation in Sriperumbudur Police Station Crime No.1238 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue Kalaiselvi, aged about 24 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Sriperumbudur, 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(CS V)

//True Copy//

Sub Assistant Registrar

nsd
To

- 1.The Judicial Magistrate No.I, Sriperumbudur.
- 2.The Deputy Superintendent of Police,
Sriperumbudur Sub-Division, Sriperumbudur.
- 3.The Superintendent of Police, Kancheepuram District.
- 4.The Inspector of Police,
Sriperumbudur Police Station, Kancheepuram District.
- 5.The Public Prosecutor, High Court, Madras.

H.C.P.No.1838 of 2021

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A.SK(03.12.2021)