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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

Coram

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

H.C.P.No.1875 of 2021

Dhilip Kumar

... Petitioner

Vs.

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

5.Sathishkumar

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the respondents 1 to 4 to produce the person and body of the petitioner's wife Manju @ Kavitha, aged about 20 years, from the illegal custody of the 5th respondent, before this Court and set her at liberty.

For Petitioner : M/s.Karan and Uday

For RR 1 to 4 : Mr.R.Muniyapparaj,
Addl. 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 1 to 4 to produce the person and body of the petitioner's wife Manju @ Kavitha, aged about 20 years, from the illegal custody of the 5th respondent, before this Court and set her at liberty.

2. It is the case of the petitioner that his wife Manju @ Kavitha, aged about 20 years, went missing from 23.10.2021 and that the police are not taking effective steps to secure her.

3. Today, K.Kamaraj (Mobile No.94981 49485), Head Constable 1329, Melpatti Police Station, Vellore District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Melpatti Police Station Crime No.171 of 2021 has been registered on 25.10.2021 for 'woman missing' and during the course of investigation, it came to light that Manju @ Kavitha has eloped with Sathishkumar, fifth respondent herein.

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 Melpatti Police Station Crime No.171 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue Manju @ Kavitha, aged about 20 years, is secured, she shall be produced before the Judicial Magistrate Court, Gudiyatham, Vellore, 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

// TRUE COPY //

SUB ASSISTANT REGISTRAR



1.The Judicial Magistrate,
Gudiyatham, Vellore.

2.The Superintendent of Police,
Vellore District.

3.The Deputy Superintendent of Police,
Gudiyatham Sub-Division,
Vellore District.

4.The Inspector of Police,
Melpatti Police Station,
Vellore District.

5.The Sub-Inspector of Police,
Melpatti Police Station,
Vellore District.

6.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Karan and Uday, Advocate Sr.60860

H.C.P.No.1875 of 2021

sj[col]
srg 02/12/2021