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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.1872 of 2021

B.Muralidharan

.. Petitioner

Vs.

1. State represented by
The Commissioner of Police,
Greater Chennai.
2. The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai - 600 110.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the 1st respondent to produce the person or body of Bhuvaneswari, wife of Muralidharan, aged about 40 years, before this Court and set her at liberty.

For Petitioner : M/s.Raja Manickam

For Respondents : 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 1st respondent to produce the person or body of Bhuvaneswari, wife of Muralidharan, aged about 40 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he got married



to Bhuvaneshwari on 27.01.2005 and through the wedlock, he has a daughter Monika, who is 16 years old now; Bhuvaneshwari was working as a Teacher in a reputed school in Perambur; on 16.11.2021, Bhuvaneshwari told him that she is going to Madurai for a school cultural program and thereafter, she did not return.

3. Later enquiries revealed that Bhuvaneshwari has taken with her a sum of Rs.21,00,000/- and 80 sovereigns of gold jewels and 2 kgs of silver and other documents. It appears that Bhuvaneshwari has also left three letters addressed to her husband, daughter and mother, wherein, she has stated that she was not happy in the family and she is going to Madurai to live with someone, whose name she has not disclosed in the letters. Bhuvaneshwari has further stated that she is two months pregnant and requested her family not to search for her. However, the petitioner has filed the present habeas corpus petition for producing her before this Court.

4. Today, P.Dhanasekar (Mobile No.80725 97870), Sub-Inspector of Police, M-1, Madhavaram Police Station, Chennai, is present.

5. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Madhavaram Police Station Crime No.2419 of 2021 has been registered on 22.11.2021 for 'woman missing' and investigation is in progress.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Madhavaram Sub-Division, to supervise the investigation in Madhavaram Police Station Crime No.2419 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue Bhuvaneshwari, aged about 40 years, is secured, she shall be produced before the Judicial Magistrate Court, Madhavaram, Chennai, 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-VIII)

//True Copy//

Sub Assistant Registrar

nsd



To

1. The Judicial Magistrate,
Madhavaram, Chennai.
2. The Assistant Commissioner of Police,
Madhavaram Sub-Division,
Chennai.
3. The Commissioner of Police,
Greater Chennai.
4. The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai - 600 110.
5. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Raja Manickam, Advocate, S.R.No.60826

H.C.P.No.1872 of 2021

SJ(CO)
SU(02/12/2021)