



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

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

H.C.P.NO.1925 OF 2021

K.Elamvazhudi

... Petitioner

.Vs.

1. The Superintendent of Police,
Cuddalore, Cuddalore District.

2. The Inspector of Police,
Veppur Police Station,
Cuddalore District.

3. S.Vallarasu

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the respondents 1 and 2 to secure and produce the petitioner's daughter-in-law and grandson viz., M.Kowsalya, W/o.Muthukumar, aged about 20 years and M.Rohithkumar, S/o.Muthukumar, aged about 1½ years, respectively, before this Court from the illegal custody of the 3rd respondent and set them at liberty.

For Petitioner : Mr.R.Gopinath

For Respondents : Mr.R.Muniyapparaj,
Additional 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 1 and 2 to secure and produce the petitioner's daughter-in-law and grandson viz., M.Kowsalya, W/o.Muthukumar, aged about 20 years and M.Rohithkumar, S/o.Muthukumar, aged



about 1 ½ years, respectively, before this Court from the illegal custody of the 3rd respondent and set them at liberty.

2. It is the case of the petitioner that his third son Muthukumar got married to Kowsalya in the year 2018 and the couple has a child Rohithkumar, aged about 1½ years; Muthukumar is said to be working abroad and his daughter-in-law Kowsalya went missing along with the child Rohithkumar from 22.09.2021 and that the police are not taking effective steps to secure them. It is the further case of the petitioner that his daughter-in-law is in the illegal custody of Vallarasu, third respondent herein.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Veppur Police Station Crime No.570 of 2021 has been registered on 01.10.2021 for 'woman missing' and investigation is in progress.

Recording the same, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Thittakudi Sub-Division, to supervise the investigation in Veppur Police Station Crime No.570 of 2021 and keep the petitioner informed of the developments, if any. As and when M.Kowsalya, aged about 20 years and M.Rohithkumar, aged about 1½ years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Vridhachalam, 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,
Vridhachalam.
2. The Deputy Superintendent of Police,
Thittakudi Sub-Division.



3. The Superintendent of Police,
Cuddalore, Cuddalore District.

4. The Inspector of Police,
Veppur Police Station,
Cuddalore District.

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Selvam, Advocate, S.R.No.61890

H.C.P.NO.1925 OF 2021

RSV(CO)
PBS/14/12/2021