



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

CORAM

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

H.C.P.No.2118 of 2021

E.Sakthiraj

..Petitioner

Vs.

1. State represented by
The Superintendent of Police,
Namakkal District.

2. State represented by
The Inspector of Police,
Tiruchengode Town Police station,
Namakkal District.

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the body of the detainee viz., Revathi, W/o.Sakthiraj and D/o.Mathiyalagan, aged about 31 years and minor child Jashwin, S/o.Sakthiraj, aged about 9 years, before this Court and set them at liberty.

For Petitioner : Mr.I.Siddiq

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 a direction to the 2nd respondent to produce the body of the petitioner's wife Revathi, aged about 31 years and minor son Jashwin, aged about 9 years, before this Court and set them at liberty.



2.It is the case of the petitioner that he got married to Revathi on 12.12.2010 and they were blessed with a son Jashwin, who is now aged about 9 years. It is the further case of the petitioner that his wife and son went missing from 21.11.2021 and that the police are not taking effective steps to secure them.

3.Today, V.Palanivel (Mobile No.94981 69271), Special Sub-Inspector of Police, Thiruchengode Town Police Station, Namakkal District, is present.

4.On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner a case in Thiruchengode Town Police Station Crime No.611 of 2021 has been registered on 22.11.2021 for 'woman missing' and during preliminary enquiry, it came to light that the detenue Revathi has developed intimacy with one Ramesh @ Thamaraikannan, who was engaged for white-washing the house and eloped with him.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Thiruchengode Sub-Division, to supervise the investigation in Thiruchengode Town Police Station Crime No.611 of 2021 and keep the petitioner informed of the developments, if any. As and when Revathi, aged about 31 years and Jashwin, aged about 9 years, are secured, they shall be produced before the Judicial Magistrate Court, Thiruchengode, 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(CO)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Judicial Magistrate,
Thiruchengode.
2. The Deputy Superintendent of Police,
Thiruchengode Sub-Division.
3. The Superintendent of Police,
Namakkal District.



4. The Inspector of Police,
Tiruchengode Town Police station,
Namakkal District.

5. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Dass & Viswa Advocate, S.R.No.68954

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UM(CO)
RGA(27/01/2022)