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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM

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

H.C.P.No.2131 of 2021

Venkatesan

..Petitioner

Vs.

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

2. State represented by
The Inspector of Police,
Panruti Police Station,
Cuddalore District.

3.Kamal

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents herein to produce the body and person of the detinue, the petitioner's daughter viz., Sri Bhuvaneswari, aged about 20 years, before this Court from the illegal custody of the 3rd respondent herein and set her at liberty.

For Petitioner : Mr.D.Arun

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 a direction to the respondents 1 and 2 to produce the body and person of the detinue, the petitioner's daughter viz., Sri Bhuvaneswari, aged about 20 years, before this Court from the



illegal custody of the 3rd respondent herein and set her at liberty.

2. It is the case of the petitioner that his daughter Sri Bhuvaneswari got married to one Sivasubramaniyan on 22.07.2021 as per hindu rites and custom; while that being so, his daughter went missing from 19.10.2021 and thereafter, her whereabouts are not known.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by Sivasubramaniyan, husband of the detainee, a case in Panruti Police Station Crime No.1005 of 2021 has been registered on 20.10.2021 for 'woman missing' and during the course of investigation, it came to light that the detainee Sri Bhuvaneswari has eloped with one Kamal, who is also a married man and running a Tailoring Shop.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Panruti Sub-Division, to supervise the investigation in Panruti Police Station Crime No.1005 of 2021 and keep the petitioner and Sivasubramaniyan informed of the developments, if any. As and when the detainee Sri Bhuvaneswari, aged about 20 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Panruti, under intimation to the petitioner and Sivasubramaniyan. 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 No.I,
Panruti.
2. The Deputy Superintendent of Police,
Panruti Sub-Division.
3. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore, Cuddalore District.



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

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Arun, Advocate, S.R.No.69354

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