



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.143 of 2021

WEB COPY

Kumar

... Petitioner/Husband of the detenu

-vs-

1.The Superintendent of Police,
Sivagangai District.

2.The Sub-Inspector of Police,
Kallal Police Station. ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's wife namely Mrs.Rani Kumar, D/o.Karuppaiah, aged about 32 years, before this Court and set her at liberty.

For Petitioner : Mr.M.S.Parthiban

For Respondents: Mr.S.Ravi

Standing counsel for the State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's wife by name Mrs.Rani Kumar, aged about 32 years, is found missing from 21.12.2020, the petitioner has lodged a complaint before the second respondent police, on 23.12.2020. But, so far no action has been taken by the second respondent to secure the detenu. Hence, the present Habeas Corpus Petition.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing counsel appearing for the State, on instructions would submit that based on the complaint given by the petitioner, the respondent police has registered an F.I.R. in Crime No.380 of 2020, under woman missing and the investigation is also in progress.

3. Considering the above facts, the second respondent police is directed to proceed with the investigation and secure the detenu and produce before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders, regarding the custody of the detenu, in accordance with law. The concerned Deputy Superintendent of Police is directed to monitor the investigation.



4. With the above directions, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CSII)

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Sub Assistant Registrar (CS)

akv

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Superintendent of Police,
Sivagangai District.
2. The Sub-Inspector of Police,
Kallal Police Station.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

Deputy Superintendent of Police
Sivagangai District.

H.C.P. (MD) No.143 of 2021
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PS (CO)
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