



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.163 of 2021

WEB COPY

R.Ganesan

... Petitioner

-vs-

1.The Superintendent of Police,
O/o. Superintendent of Police,
Theni District.

2.The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
(Cr.No.2240/2020)

3.Nataraj
4.Beemaraj
5.Mani
6.Selvi

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the Respondent Nos.1 and 2 to produce the person or the body of detainees viz., Eswari W/o. Ganesan, aged about 37 years and female minor child, namely Nandhana D/o. Ganesan, aged about 6 years respectively before this Hon'ble Court and set them at liberty.

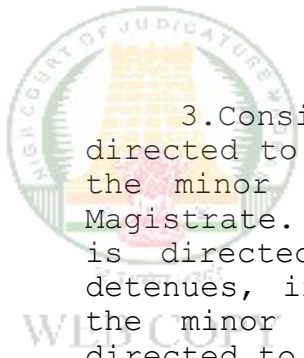
For Petitioner	:	Mr.S.Vanchinathan
For Respondent	:	Mr.S.Ravi
Nos.1 & 2		Standing counsel for the State

O R D E R

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

This Habeas Corpus Petition has been filed by the husband and father of the detainees, namely, Eswari, aged about 37 years and minor Nandhana, aged about 6 years respectively, alleging that they were abducted by respondent Nos.3 to 6 on 10.09.2020 and though a case has been registered by the second respondent on 18.10.2020 in Crime No.2240 of 2020, for woman and girl missing, based on the complaint of the petitioner, no action was taken to trace them.

2.When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing counsel appearing for the State, on instructions submitted that the investigation reveals, the first detainee has eloped with the third respondent and the respondent police is taking steps to secure the lady along with her child and respondent Nos.4 to 6 are only the relatives of the third respondent.



3.Considering the above submissions, the second respondent police is directed to proceed with the investigation and secure the lady along with the minor child and produce them before the concerned jurisdictional Magistrate. On such production, the concerned jurisdictional Magistrate is directed to pass suitable orders, regarding the custody of the detainees, in accordance with law and taking into account the welfare of the minor child. 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 (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
O/o. Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
- 3.The Deputy Superintendent of Police,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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PS

RS (12.08.2021) 2P-5C