



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.216 of 2021

WEB COPY

P.Angalaeswari

... Petitioner

-vs-

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

2.The Inspector of Police,
Sholavandan Police Station,
Madurai District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, to direct the respondents 1 & 2 to secure and produce the body or person of the petitioner's husband namely S.A.Pandi, S/o.Ayyavu, aged about 40 years and produce him before this Court and set him at liberty.

For Petitioner : Mr.S.Vikram

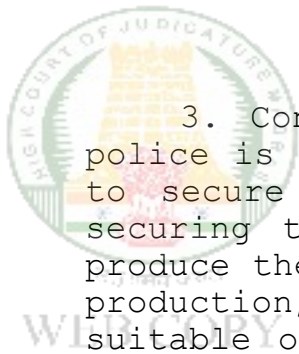
For Respondents : Mr.S.Ravi
Standing counsel for the State

O R D E R

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

The petitioner is the wife of the detenu. Alleging that her husband by name S.A.Pandi, S/o.Ayyavu, aged about 40 years, was found missing from 21.01.2021, she said to have given a complaint before the second respondent police. Though an F.I.R has been registered in Crime No.21 of 2021, no action has been taken by the second respondent police to secure the detenu, hence the present Habeas Corpus Petition has been filed.

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 second respondent police has registered an F.I.R. in Crime No.21 of 2021 and the initial investigation reveals that due to some matrimonial dispute, the detenu left the matrimonial home and now he is working as a Coconut Climber at Namakkal.



3. Considering the above circumstances, the second respondent police is directed to proceed with the investigation and take steps to secure the detenu as early as possible and in the event of securing the detenu, the second respondent police is directed to produce the detenu 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.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Sholavandan Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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