



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGOVA

H.C.P. (MD) No.254 of 2021

WEB COPY

Uchimahali

... Petitioner

-vs-

State rep. by

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

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the 1st and 2nd respondents to produce the person or bodies of the detenus the petitioner's wife Gomathiammal aged 60 years and petitioner's grand-daughter Uthirashakshi 1 year old baby, before this Court and set them at liberty.

For Petitioner

:Mr.M.Shema Daniel

For Respondents

:Mr.K.Dinesh Babu

Additional Public Prosecutor

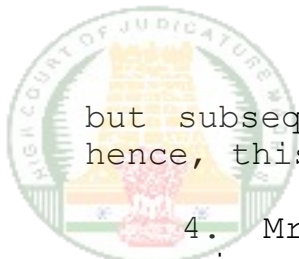
O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed for a direction to the respondents to produce the petitioner's wife Gomathiammal aged 60 years and petitioner's grand-daughter Uthirashakshi 1 year old baby, before this Court and set them at liberty.

2. Heard Mr.M.Shema Daniel, learned counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

3. The petitioner would state that his 3rd daughter, namely, Seethalakshmi was married to one Army man who is serving in Indian Army at Jammu Kashmir. The said Seethalakshmi begotten two children and the second child is being brought up by the petitioner and his wife, while so both of them were found missing from 12.01.2021. Therefore, the petitioner lodged a complaint and based on his complaint, a case in Cr.No.38 of 2021 was registered on 16.01.2021,



but subsequently, no action was taken to secure the detenues and hence, this habeas corpus petition has been filed.

4. Mr.K.Dinesh Babu, learned Additional Public Prosecutor, appearing for the respondents, on instructions, would submit that both the detenues were murdered by the petitioner's neighbour Veerapandiammal and 5 others and hence, a case in Cr.No.38 of 2021 was altered into Sections 302 and 201 of IPC and during the investigation, the said Veerapandiammal has confessed for committing the offence and the investigation is in progress.

5.In the light of the above statement, nothing survives for consideration and hence, this habeas corpus petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

am

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,
Tenkasi District,
Tenkasi.

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.SHEMA DANIEL, Advocate (SR-8130[F] dated 02/03/2021)

H.C.P. (MD) No.254 of 2021

02.03.2021

VB (15.03.2021) 2P 5C

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