



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.(MD) No.967 of 2021

Esakkimuthu

... Petitioner/Wife of Detenu

-vs-

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Elathoor Police Station,
Tenkasi 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 and 2 to secure and produce the body or person of the petitioner's husband namely Muthuraj, son of Karuppasamy, aged about 29 years, produce before this Court and set him at liberty.

For Petitioner : Mr.M.Shema Daniel

For R1 & R2 : Mr.S.Ravi

Standing counsel for the State

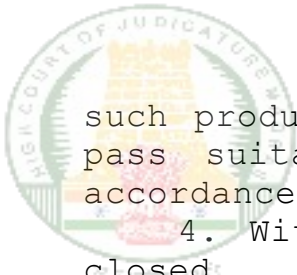
O R D E R

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

Alleging that the petitioner's husband, by name Muthuraj, aged about 29 years, is found missing from 12.05.2021, the petitioner has lodged a complaint before the second respondent police. But, so far no action has been taken by the second respondent to secure the detenu. Hence, the present Habeas Corpus Petition.

2. Today, when the matter is taken up for hearing, Mr.S.Ravi, the learned Standing Counsel appearing for the respondents, on instructions, would submit that the investigation reveals that the petitioner's husband, namely Muthuraj, eloped with one Karthika, who is a neighbour, a married lady and they left the village. The respondent Police are taking steps to secure the detenu.

3. Recording the above submission, the second respondent police is directed to proceed with the investigation, 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.

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

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Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

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

H.C.P. (MD) No.967 of 2021
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