



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.998 of 2021

WEB COPY

Balasubramanian

... Petitioner

vs.

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

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli District.

3.Muthukumarasamy

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents No.1 & 2 to produce the bodies or persons of detenu namely Arunachalavadivoo, W/o.Balasubramanian, aged about 30 years and Akilesh, S/o. Balasubramanian, aged about 5 years, from illegal detention of the third respondent and set them at liberty.

For Petitioner : Mr.D.Rajkumar

For Respondents : Mr.S.Ravi

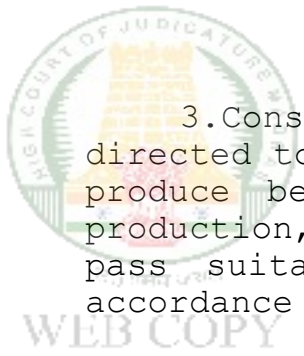
Standing counsel for State

O R D E R

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

Alleging that the petitioner's wife by name Arunachalavadivoo, aged about 30 years, and his son by name Akilesh, aged about 5 years, found missing and suspecting that the third respondent has abducted them, the petitioner has lodged a complaint before the second respondent police. But, so far no action has been taken 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 respondents would submit that the investigation reveals that the detenu eloped with the third respondent and their whereabouts are not known and they are conducting investigation to secure the detenu.



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 jurisdictional Magistrate. On such production, the concerned jurisdictional 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 (T & P)

// 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 Chief Judicial Magistrate,
Tirunelveli.
- 2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 3.The Inspector of Police,
Pettai Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 5.The Judicial Magistrate No-5,
Tirunelveli.

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