



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGOVA**

H.C.P. (MD) No.771 of 2020

A.Alagu

... Petitioner

-vs-

1.The Superintendent of Police
Madurai District
Madurai

2.The Inspector of Police
Villoor Police Station
Madurai District
(Crime No.55 of 2020)

3.Gurvu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the detenu or body of the detenu i.e., the petitioner's husband namely Ayyanar, aged about 41 years, son of T.Alagar, before this Court and set him at liberty.

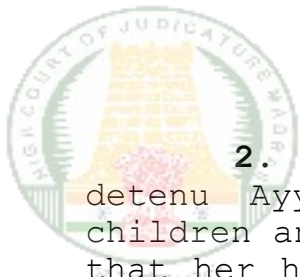
For Petitioner: Mr.K.Sudalaiyandi

For Respondents: Mr.K.Dinesh Babu
Additional Public Prosecutor for R1 & R2

O R D E R

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

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce her husband, namely Ayyanar, son of T.Alagar, aged about 41 years, before this Court and set him at liberty.



2. The petitioner would state that she was married to the detenu Ayyanar about eleven years ago and she delivered twin children and they are aged about 1 ½ years. She would further state that her husband is working in Indian Army as House Keeper and she was also staying with him in New Delhi and after delivering children, she came back her native place in the year 2018. She would further state that during July, 2019, her husband came to his native place on one month leave and left to New Delhi on 04.08.2019 to join duty. However, she received information from the Army on 10.08.2019 that her husband did not join duty and his Cellphone is also found switched off. Therefore, she lodged a complaint to the second respondent and the same was registered on 10.03.2020 in Crime No.55 of 2020 under "Man Missing". Since no appropriate action was taken by the Police to secure her husband, the petitioner has come up with this habeas corpus petition.

3. When the matter is taken up for hearing, the petitioner entered appearance in person and stated that she is ready to co-operate with the respondent Police to secure her husband.

4. The second respondent filed a status report stating that based on the complaint lodged by the petitioner, a case has been registered in Crime No.55 of 2020 on 10.03.2020 and a Special Team has been formed to secure the detenu. It is further stated that during investigation, it was found that the detenu is in direct contact with the third respondent and the petitioner. In support of the said statement, Cellphone call details have been produced in the typed set. In Para 10 of the status report, it is stated the movement and location of the detenu is being monitored by the respondent Police and after getting the passport sanctioned, they would secure him.

5. Taking note of the status report filed by the second respondent, the habeas corpus petition is closed with a direction to the second respondent to speed up the investigation in Crime No.55 of 2020 and secure the detenu at the earliest.

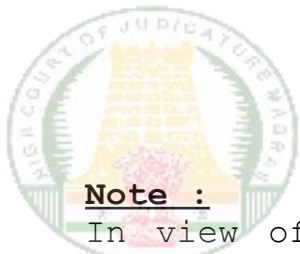
Sd/-

Assistant Registrar (Crl.Side)

// 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.

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To:

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

+1 CC to M/s.K.SUDALAIYANDI, Advocate (SR-1710[F] dated 21/01/2021)

H.C.P. (MD) No.771 of 2020

21.01.2021

ES (CO)

NR (10/02/2021) 3P : 5C