



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1291 of 2021

M. Prithivirajan ... Petitioner
vs.

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District. ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's wife by name G.Kalpana, D/o.(Late) A.Ganesan (Female, aged 24 years), detainee in the present case, before this Court and consequently set her at liberty.

For Petitioner : Mr.S.Balaji
For Mr.Pounraj

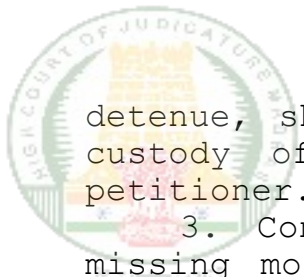
For Respondents : Mr.S. Ravi
Standing Counsel for State

O R D E R

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

Alleging that the petitioner's wife by name Kalpana, aged about 24 years, found missing from 21.04.2021 and despite the complaint given to the 2nd respondent Police, no steps have been taken to secure the detainee, the present Habeas Corpus Petition has been filed.

2. Mr.S.Ravi, the learned Standing Counsel appearing for the respondents, on instructions, would submit that the petitioner's wife eloped with somebody and she is residing at Chennai. The detainee has also written a letter to the Inspector of Police, Usilampatti Town Police Station, Madurai District, the 2nd respondent in her letter, stating that since the petitioner harassed the



detenue, she left the matrimonial house and she is not in illegal custody of anybody and she is not willing to live with the petitioner.,

3. Considering the submissions, since the detenue is found missing more than three months, the second respondent police is directed to proceed with the investigation, secure the detenu as early as possible 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 detenue, in accordance with law.

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

Sd/-

Assistant Registrar (P&A)

// 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,
Madurai District, Madurai.
2. The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(28.09.2021) 2P 4C