



WEB COPY

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.1292 of 2021

Mohanraj

... Petitioner

vs.

1.The Superintendent of Police,
Superintendent Office,
Kanyakumari District.

2.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

3.Manoj

... 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 1 and 2 to produce the body or person of the detainees namely Sonia Gandhi W/o.Mohanraj, aged 35 years and Minor M.S.Adarsha D/o.Mohanraj aged 7 years, who are in illegal custody of the 3rd respondent before this Court and set them at liberty.

For Petitioner : Mr.C.Muthu Saravanan

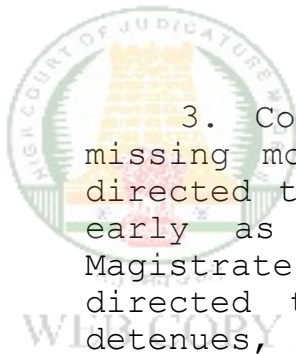
For R 1 and 2 : Mr.S. Ravi
Standing Counsel for the State

O R D E R

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

Alleging that the petitioner's wife, by name, Sonia Gandhi along with her minor daughter, found missing from 19.08.2021 and suspecting that the 3rd respondent has abducted, the present Habeas Corpus Petition has been filed. Even though the petitioner has given a complaint before the second respondent police, no action has been taken. Hence, 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 the 3rd respondent and her whereabouts is not known and also they are conducting investigation.



3. Considering the submissions, sine the detenues are found missing more than thirty days, the second respondent police is directed to proceed with the investigation, secure the detenues 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 detenues, in accordance with law.

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

Sd/-

Assistant Registrar (CS-III)

// 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,
Superintendent Office,
Kanyakumari District.
- 2.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

H.C.P. (MD) No.1292 of 2021

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