



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1348 of 2021

WEB COPY

R.Sundarapandi

... Petitioner/Husband of the detenu

-vs-

1.The Superintendent of Police,
District Superintendent Office,
Surveyor Colony,
Madurai.

2.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.

3.Balamurugan

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenu namely Subasri, W/o.Sundarapandi, aged 22 years, before this court and set her at liberty.

For Petitioner : Mr.P.Balamurugan

For R1 & R2 : Mr.S.Ravi

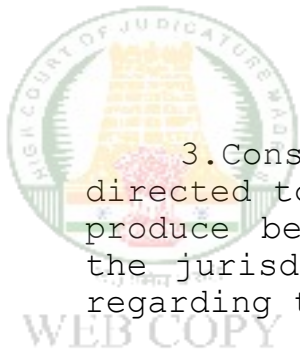
Additional Public Prosecutor

O R D E R

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

Alleging that the petitioner's wife by name Subasri, aged about 22 years, was found missing, the petitioner has given 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.Mr.S.Ravi, learned Additional Public Prosecutor on instructions would submit that earlier the petitioner's wife left the matrimonial home along with two years old child and on the complaint given by the petitioner, she was secured along with the child and handed over to the petitioner. After three days, the detenu left the child with the petitioner and once again left the matrimonial home and they are suspecting that the detenu has eloped with the third respondent.



3.Considering the above facts, the second respondent police is directed to proceed with the investigation and secure the detenu and produce before the jurisdictional Magistrate. On such production, the jurisdictional Magistrate is directed to pass suitable orders, regarding the custody of the detenu, in accordance with law.

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

Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

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,
District Superintendent Office,
Surveyor Colony,
Madurai.
- 2.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.BALAMURUGAN, Advocate (SR-30545[F] dated 28/09/2021)

H.C.P. (MD) No.1348 of 2021
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NSN (CO)

RS (06.10.2021) 2P 5C