



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD)No.1401 of 2021

WEB COPY

R.Murugalakshmi

... Petitioner

vs.

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

2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

3.G.Sowndharya

... 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 1 to 2 to secure and produce the body or person of the petitioner's husband namely Vijaya Prabakaran, S/o.Pandarakanu aged about 27 years, the detenu who may be in the illegal custody of one Soundarya, the third respondent or somebody else and produce before this court and set him at liberty.

For Petitioner : Mr.S.G.L.Rishwanth

For Respondents : 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 husband, by name, Vijaya Prabakaran, S/o.Pandarakanu, aged about 27 years, found missing and suspecting that the 3rd respondent has abducted her husband, the petitioner has filed a complaint before the 2nd respondent Police. Since no action has been taken, the present Habeas Corpus Petition has been filed.

2.Mr.S.Ravi, the learned Additional Public Prosecutor appearing for the State, on instructions, submitted that the petitioner's husband eloped with the 3rd respondent and their whereabouts is not known and they are continuing the investigation.



3.Considering the above submissions, 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 detenu, in accordance with law.

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

Sd/-

Assistant Registrar (AE)

// 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,
Tenkasi District,
Tenkasi.
- 2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.
- 3.The Judicial Magistrate,
Alangulam,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD)No.1401 of 2021

22.09.2021