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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH  
AND  
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

H.C.P.NO.242 OF 2022

K.Sridharan

...Petitioner

Vs.

1.State represented by  
The Superintendent of Police,  
Thiruvallur,  
Thiruvallur District.

2.State represented by  
The Inspector of Police,  
F-2, SIPCOT Police Station,  
Gummidipoondi.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2<sup>nd</sup> respondent to produce the bodies of the petitioner's wife and children viz., Kannagimalar, W/o.Sridharan, aged 32 years and S.Nithusha, D/o.Sridharan, aged 12 years and S.Neerthigan, S/o.Sridharan, aged 9 years, respectively, before this Court, who were missing from 16.09.2021 and set them at liberty.

For Petitioner : Mr.S.Xavier Felix

For Respondents : Mr.R.Muniyapparaj,  
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the 2<sup>nd</sup> respondent to produce the bodies of the petitioner's wife and children viz., Kannagimalar, aged 32 years and S.Nithusha, aged 12 years and S.Neerthigan, aged 9 years, respectively, before this Court, who were missing from 16.09.2021 and set them at liberty.



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2. It is the case of the petitioner that he got married to Kannagimalar in the year 2008 and through the wedlock, he has two children viz., Nithusha and Neerthigan, aged about 12 and 9 years, respectively; while that being so, his wife and children went missing from 16.09.2021 and thereafter, their whereabouts are not known.

3. Today L.Krishnamoorthy (Mobile No.94981 47627), Special Sub-Inspector of Police, F-2, SIPCOT Police Station, Gummidipoondi, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in SIPCOT Police Station Crime No.390 of 2021 for 'woman, girl and boy missing' was registered on 17.09.2021 and the preliminary investigation conducted, so far revealed that the detainee Kannagimalar has eloped with one Udaykumar, with whom, she got acquainted in Facebook.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Gummidipoondi Sub-Division, to monitor the investigation in SIPCOT Police Station Crime No.390 of 2021 and keep the petitioner informed of the developments, if any. As and when Kannagimalar, aged about 32 years, S.Nithusha, aged about 12 years and S.Neerthigan, aged about 9 years, are secured, they shall be produced before the District Munsif-cum-Judicial Magistrate Court, Gummidipoondi, under intimation to the petitioner.

Sd/-  
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

nsd

To

- 1.The District Munsif-cum-Judicial Magistrate,  
Gummidipoondi.
- 2.The Deputy Superintendent of Police,  
Gummidipoondi Sub-Division.
- 3.The Superintendent of Police,  
Thiruvallur,  
Thiruvallur District.



4.The Inspector of Police,  
F-2, SIPCOT Police Station,  
Gummidipoondi.

5.The Public Prosecutor,  
High Court, Madras.

H.C.P.No.242 of 2022

VG-II (CO)  
RVM(28/02/2022)