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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.271 of 2022

D.Jaganathan

... Petitioner/Complainant

Vs.

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

2. The Inspector of Police,
Sathangadu Police Station,
Thiruvallur District.

3. Chandru

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body or person of the petitioner's wife by name "Manjula", aged about 28 years, before this Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.R.Balakrishnan

For RR 1 and 2 : 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 respondents 1 and 2 herein to produce the body or person of the petitioner's wife by name Manjula, aged about 28 years, before this Court from the illegal custody of the 3rd respondent and set her at liberty.

2. It is the case of the petitioner that his wife Manjula, aged about 28 years, went missing from 10.01.2022, leaving behind him and his two children viz., Mukesh and Divyadharshini,



aged about 10 and 9 years, respectively. It is the grievance of the petitioner that despite his complaint, the police are not taking effective steps to secure his wife.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Sathangadu Police Station Crime No.32 of 2022 has been registered on 13.01.2022 for 'woman missing' and during the course of preliminary enquiry, it came to light that Manjula had developed intimacy with one Chandru @ Rajesh, aged about 34 years, who is a barotta master in a local shop and eloped with him. He also produced a copy of the letter that has been sent by Manjula to the Inspector of Police, Sathangadu Police Station, stating that she has left the house on her own accord. A photocopy of the said letter is furnished to the learned counsel for the petitioner.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Ennore Sub-Division, to monitor the investigation in Sathangadu Police Station Crime No.32 of 2022 and keep the petitioner informed of the developments, if any. As and when the detinue Manjula, aged about 28 years, is secured, she shall be produced before the Judicial Magistrate Court, Thiruvottiyur, under intimation to the petitioner.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Judicial Magistrate,
Thiruvottiyur.
2. The Assistant Commissioner of Police,
Ennore Sub-Division.
3. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
4. The Inspector of Police,
Sathangadu Police Station,
Thiruvallur District.



5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Balakrishnan, Advocate, S.R.No.10318

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AK (CO)
CT 08/03/2022