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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM

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

H.C.P.NO.291 OF 2022

Thangavel

...Petitioner

Vs.

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

2.The Inspector of Police,
Puliampatti Police Station,
Erode District.

...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 secure and produce the petitioner's wife viz., Savithri, aged about 32 years and her two minor child Sivani, aged about 5 years and Prithivi, aged about 1 ½ years, before this Court and set them at liberty.

For Petitioner : Mr.M.Dinesh

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 respondents to produce the petitioner's wife Savithri, aged about 32 years and children Sivani and Prithivi, aged about 5 and 1 ½ years, respectively, before this Court and set them at liberty.

2. It is the case of the petitioner that he got married to Savithri and through the wedlock, he has two children Sivani and Prithivi, aged about 5 and 1 ½ years, respectively; while that being so, his wife and children went missing from 08.02.2022 and thereafter, their whereabouts are not known.



3. Today K.K.Selvam Mobile No.94981 75613), Special Sub-Inspector of Police, Puliampatti Police Station, Erode District, is present.

4. On instructions, the Additional Public Prosecutor submitted that earlier the petitioner's wife developed intimacy with one Marudhachalam and had eloped with him and thereafter, she was secured and handed over to the petitioner; now again the petitioner's wife along with the children went missing from 08.02.2022, in connection with which, on a complaint given by the petitioner, a case in Puliampatti Police Station Crime No.63 of 2022 has been registered on 11.02.2022 for 'woman, girl and boy missing' and the preliminary investigation reveals that Savithri has once again eloped with the said Marudhachalam.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Sathyamangalam Sub-Division, to supervise the investigation in Puliampatti Police Station Crime No.63 of 2022 and keep the petitioner informed of the developments, if any. As and when Savithri, aged about 32 years and children Sivani and Prithivi, aged about 5 and 1 ½ years, respectively, are secured, they shall be produced before the Judicial Magistrate Court, Sathyamangalam, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

nsd

To

- 1.The Judicial Magistrate,
Sathyamangalam.
- 2.The Deputy Superintendent of Police,
Sathyamangalam Sub-Division.
- 3.The Superintendent of Police,
Erode, Erode District.
- 4.The Inspector of Police,
Puliampatti Police Station,
Erode District.



5.The Public Prosecutor,
High Court, Madras.

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The Chief Judicial Magistrate,
Erode District.

+1cc to Mr.M.Dinesh, Advocate Sr.No.11737

H.C.P.No.291 of 2022

EV(CO)
RVM(07/03/2022)