



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

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

H.C.P.NO.384 OF 2022

A.Balaji

.. Petitioner

Vs.

1. State represented by
The Commissioner of Police,
Ambattur, Chennai.
2. The Deputy Commissioner of Police,
Avadi, Chennai - 600 054.
3. The Inspector of Police,
T-1, Ambattur Police Station,
Ambattur, Chennai - 600 053.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the body or person of the detainee and detenus viz., 1) Navathiratchayani (aged about 30 years), 2) Rithish (aged about 9 years) and 3) Suthish (aged about 7 years), before this Court and set them at liberty.

For Petitioner : Ms.R.Girija

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 body or person of the petitioner's wife viz., Navathiratchayani, aged about 30 years and sons viz., Rithish and Suthish, aged about 9 and 7 years, respectively, before this Court and set them at liberty.



2. It is the case of the petitioner that he got married to Navathiratchayani in the year 2011 and through the wedlock, he has two male children viz., Rithish and Suthish, aged about 9 and 7 years, respectively; while that being so, his wife and children went missing from 07.01.2022 and thereafter, their whereabouts are not known.

3. On instructions, the Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Ambattur Police Station Crime No.28 of 2022 has been registered on 08.01.2022 for 'woman and boys missing' and during the course of investigation, it came to light that Navathiratchayani has eloped with one Lavakumar Chinnappan.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Ambattur Sub-Division, Chennai, to supervise the investigation in Ambattur Police Station Crime No.28 of 2022 and keep the petitioner informed of the developments, if any. As and when Navathiratchayani, aged about 30 years, Rithish and Suthish, aged about 9 and 7 years, respectively, are secured, they shall be produced before the Judicial Magistrate Court, Ambattur, Chennai, 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(CS IX)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Judicial Magistrate,
Ambattur, Chennai.
2. The Assistant Commissioner of Police,
Ambattur, Chennai.
3. The Commissioner of Police,
Ambattur, Chennai.



4. The Deputy Commissioner of Police,
Avadi, Chennai - 600 054.

5. The Inspector of Police,
T-1, Ambattur Police Station,
Ambattur, Chennai - 600 053.

6. The Public Prosecutor,
High Court, Madras.

H.C.P.No.384 of 2022

PMK (CO)
PM/23/03/2022