



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2022

Coram

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

H.C.P.No.364 of 2022

Arun Prakash

.. Petitioner/Son of detenue

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. State represented by
The Sub-Inspector of Police,
Puzhal Police Station,
Chennai - 600 066.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to produce the detenue viz., the petitioner's mother Geetha, wife of Late Mohanarangam, aged about 61 years, in person before this Court or her body and set her at liberty.

For Petitioner : Mr.M.I.Javid Akbar

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 1 and 2 to produce the detenue viz., the petitioner's mother Geetha, wife of Late Mohanarangam, aged about 61 years, in person before this Court or her body and set her at liberty.

2. It is the case of the petitioner that his mother



Geetha, aged about 61 years, left the house on 24.01.2022 saying that she is going to a temple and given the keys of the house to her neighbour and thereafter, her whereabouts are not known.

3. It is the grievance of the petitioner that the police are not taking effective steps to secure her mother, despite a complaint being lodged.

4. Today, D.Tamilselvi (Mobile No.9003268373), Woman Grade I - 29550, M-3, Puzhal Police Station, Chennai, is present.

5. On instructions, the Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Puzhal Police Station Crime No.362 of 2022 has been registered on 28.01.2022 for 'woman missing' and during the course of investigation, it came to light that the petitioner's mother had pawned her gold stud with a local pawnbroker on 24.01.2022 for a sum of Rs.1,500/- and with that money, she has gone missing.

6. Thus, it is apparent that the petitioner's mother is not in the illegal custody of the respondents herein, for the issuance of a writ of habeas corpus.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Assistant Commissioner of Police, Puzhal Sub-Division, to supervise the investigation in Puzhal Police Station Crime No.362 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Geetha, aged about 61 years, is secured, she shall be produced before the District Munsif-cum-Judicial Magistrate Court, Madhavaram, 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 District Munsif-cum-Judicial Magistrate,
Madhavaram.



- +2ccs to M/s.M.I.Javid Akbar, Advocate, S.R.No.15418

BS (CO)
SU (22/03/2022)