



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2022

Coram

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

H.C.P.No.466 of 2022

V.Panchavarnam
W/o.Venkatesan

.. Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Collector Office Road, Moovendar Nagar,
Villupuram.

2. State by
The Inspector of Police,
Villupuram Town Police Station,
Villupuram.

3. Ranjitha
W/o.Arumugam

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's son V.Praveen, aged about 21 years, before this Court from the custody of the third respondent and set him at liberty.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the second respondent to produce the petitioner's son V.Praveen, aged about 21 years, before this Court from the custody of the third respondent and set him at liberty.



2. It is the case of the petitioner that her son Praveen, aged about 21 years, went missing from 01.10.2021 and despite giving a complaint dated 01.10.2021, by post, to the Superintendent of Police, Villupuram District, no steps have been taken to secure her son. The petitioner has further alleged that her son is in the illegal custody of the third respondent.

3. Today, Mr.K.Selvakumar, Special Sub-Inspector of Police, Villupuram Taluk Police Station, [Mobile No.94981 52364] is present.

4. On instructions, learned Additional Public Prosecutor submitted that the petitioner is a cancer patient and was taking treatment in the Cancer Institute, Adyar. She had left her son in the house in Villupuram. Her son developed intimacy with the third respondent, who was already married to one Arumugam, through whom, she has three children. On the complaint given by Arumugam, a case in Villupuram Taluk P.S. Crime No.1207 of 2021 for 'woman and children missing' has been registered and investigation is in progress.

5. In view of the above, it cannot be stated that the petitioner's son is in the illegal custody of respondents 1 and 2 for issuance of a writ of habeas corpus. As regards the third respondent, who herself has gone missing, in connection with which, a case in Villupuram Taluk P.S. Crime No.1207 of 2021, is pending.

In such view of the matter, this Habeas Corpus Petition is closed with a direction to the Deputy Superintendent of Police, Villupuram, to supervise the investigation in Villupuram Taluk P.S. Crime No.1207 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu is secured, he shall be produced before the Judicial Magistrate I, Villupuram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

gm



To

1. The Judicial Magistrate I,
Villupuram.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Collector Office Road, Moovendar Nagar,
Villupuram.

3. The Deputy Superintendent of Police,
Villupuram.

4. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.

5. The Public Prosecutor,
High Court, Madras.

6. The Inspector of Police,
Villupuram Taluk Police Station.

+1cc to Mr.K.Kannan, Advocate SR. No.19617

H.C.P.No.466 of 2022

MG (CO)
PR (31/03/2022)