



H.C.P.No.559 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.04.2021

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

H.C.P.No.559 of 2022

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.. Petitioner

Vs.

State rep. by

1.The Superintendent of Police

Villupuram District

Villupuram

2.The Inspector of Police

Villupuram Police Station

Villupuram

3.The Sub-Inspector of Police (RPF)

Villupuram Railway Police Station

Villupuram Junction

Villupuram

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the respondents 1 and 2 to produce the body and person of the petitioner's husband viz., Samuthirapandiyan, S/o.Kumarandi, aged 68 years before this Hon'ble Court to secure the ends of justice.



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For Petitioner : Ms.S.Sengkodi
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 respondents 1 and 2 to produce the body of the detenu *viz.*, Samuthirapandiyan, aged 68 years before this Court.

2. It is the case of the petitioner that on 22.03.2022, while she and her husband *viz.*, Samuthirapandian, accompanied by their son-in-law Kalyanarajan, were travelling by Nellai Express from Kovilpatti to Tambaram in S-10 coach seat numbers 36, 33 and 60 respectively, she found that Samuthirapandian had gone missing, when the train arrived at Villupuram. It is her further grievance that the police are not taking effective steps to secure him and hence, this petition.

3. Today, Mr.K.Chinnappan, Sub-Inspector of Police, Villupuram Railway Police Station is present before this Court.



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4. On instructions, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, submitted that on a complaint lodged by the petitioner, a case in Villupuram (GRP Trichy) P.S. Crime No.16 of 2022 has been registered on 24.03.2022 for "man missing" and investigation is in progress.

5. It is not the case of the petitioner that Samuthirapandian is in illegal custody of the respondents for issuance of a writ of habeas corpus.

6. In view of the above, this Habeas Corpus Petition stands closed with a direction to the Deputy Superintendent of Police, Trichy (Railways), to supervise the investigation in Villupuram (GRP Trichy) P.S. Crime No.16 of 2022 and keep the petitioner informed of the developments, if any. As and when Samuthirapandian is secured, he shall be produced before the Judicial Magistrate No.I, Villupuram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

[P.N.P., J.] [A.A.N., J.]

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P.N.PRAKASH, J.
AND
A.A.NAKKIRAN, J.

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To

1.The Judicial Magistrate No.I
Villupuram

2.The Superintendent of Police
Villupuram District
Villupuram

3.The Deputy Superintendent of Police
Trichy (Railways)

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4.The Inspector of Police
Villupuram Police Station
Villupuram

5.The Sub-Inspector of Police (RPF)
Villupuram Railway Police Station
Villupuram Junction, Villupuram

6.The Public Prosecutor
High Court, Madras

28.04.2021