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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

Coram

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

H.C.P.No.584 of 2022

Dineshkumar

.. Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore City, Coimbatore.

2.The Inspector of Police,
Podhanur, Coimbatore City,
Coimbatore.

3.Ranjithkumar

.. 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 secure the petitioner's sister Kirthika Lakshmi, D/o.Sathyanarayanan, in person before this Court or produce her body, aged about 21 years, from the custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.A.Balaji

For RR 1 and 2 : 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 secure the petitioner's sister Kirthika Lakshmi, D/o.Sathyanarayanan, in person before this Court or produce her body, aged about 21 years, from the custody of the 3rd respondent and set her at liberty.



2. It is the case of the petitioner that his sister Kirthika Lakshmi, aged about 21 years, who has chronic heart ailments and has undergone two surgeries, went missing from 26.03.2022 and that the police are not taking effective steps to secure her.

3. Today, P.Thamarai Kannan (Mobile No.94982 04290), Sub-Inspector of Police, Podhanur Police Station, Coimbatore City, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Podhanur Police Station Crime No.165 of 2022 has been registered on 28.03.2022 for 'woman missing' and during the course of investigation, it came to light that the detainee Kirthika Lakshmi was in love with one Ranjithkumar, third respondent herein, who is a relative of the detainee and eloped with him and also got married to him.

5. In such view of the matter, it cannot be stated that the detainee Kirthika Lakshmi is in the illegal custody of Ranjithkumar for the issuance of a writ of habeas corpus.

In the result, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Podhanur Range, Coimbatore District, to supervise the investigation in Podhanur Police Station Crime No.165 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Kirthika Lakshmi, aged about 21 years, is secured, she shall be produced before the Judicial Magistrate Court, Madukkarai, Coimbatore District, 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-V)

// True Copy //

Sub Assistant Registrar

nsd



To

1.The Judicial Magistrate,
Madukkarai, Coimbatore.

2.The Deputy Superintendent of Police,
Podhanur Range,
Coimbatore District.

3.The Commissioner of Police,
Coimbatore City, Coimbatore.

4.The Inspector of Police,
Podhanur, Coimbatore City,
Coimbatore.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Balaji, Advocate SR.No.24673

H.C.P.No.584 of 2022

PL(CO)
CB(28/04/2022)