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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

Coram

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

H.C.P.No.676 of 2022

Rubesh

..Petitioner

Vs.

State represented by

1.The Superintendent of Police,
Vellore District,
Tamil Nadu.

2.The Inspector of Police,
Vellore South Police Station,
Vellore District.
(Crime No.387 of 2021)

3.N.Neelakandan

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the petitioner's wife Naveena @ Ponni, aged about 28 years and the petitioner's minor child Loka sri, aged about 6 years, before this Court and from the custody of the 3rd respondent and hand over to the petitioner.

For Petitioner : Mr.N.Vinayakamoorthy

For RR 1 and 2 : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the 1st and 2nd respondents to produce the



petitioner's wife Naveena @ Ponni, aged about 28 years and the petitioner's minor child Loka sri, aged about 6 years, before this Court and from the custody of the 3rd respondent and hand over to the petitioner.

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2. It is the case of the petitioner that his wife Naveena @ Ponni, aged about 28 years and his daughter Loka sri, aged about 6 years, went missing from 28.11.2021 and that the police are not taking effective steps to secure them.

3. Today, Rathakrishnan (Mobile No.94981 48962), Special Sub-Inspector of Police, Vellore South Police Station, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Vellore South Police Station Crime No.387 of 2021 was registered on 29.11.2021 for 'woman and girl missing' and during the course of investigation, it came to light that the petitioner's wife has eloped with someone. He further submitted that the police have also issued pamphlets in the local area with the photographs of Naveena and Loka sri.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Vellore South Sub-Division, Vellore District, to supervise the investigation in Vellore South Police Station Crime No.387 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenues Naveena @ Ponni, aged about 28 years and Loka sri, aged about 6 years, are secured, they shall be produced before the Judicial Magistrate Court No.I, Vellore District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



1. The Judicial Magistrate No.I,
Vellore District.

2. The Deputy Superintendent of Police,
Vellore South Sub-Division,
Vellore District.

3. The Superintendent of Police,
Vellore District,
Tamil Nadu.

4. The Inspector of Police,
Vellore South Police Station,
Vellore District.

5. The Chief Judicial Magistrate
Vellore

6. The Public Prosecutor,
High Court, Madras.

+2 Ccs to Mr.C.Balaji, Advocate sr 29356, 28776.

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SR(CO)
SP(09/05/2022)