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H.C.P.No.1244 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2022

Coram

The Honourable Mr. Justice **S.VAIDYANATHAN**  
and  
The Honourable Mr. Justice **A.D.JAGADISH CHANDIRA**

H.C.P.No.1244 of 2022

Sakthivel

.. Petitioner

Vs.

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

2.The Inspector of Police,  
Gudiyatham Taluk Police Station,  
Gudiyatham, Vellore District.

3.Mani

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing 2<sup>nd</sup> respondent to produce the detenue viz., Megala, wife of Sakthivel, aged about 30 years, before this Court from the illegal custody of 3<sup>rd</sup> respondent and set her at liberty.



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For Petitioner : Mr.G.Vinodh Kumar

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

### **ORDER**

**S.VAIDYANATHAN, J.**  
**AND**  
**A.D.JAGADISH CHANDIRA, J.**

This habeas corpus petition has been filed by the petitioner/husband seeking a direction to 2<sup>nd</sup> respondent to produce his wife Megala, aged about 30 years, before this Court from the illegal custody of 3<sup>rd</sup> respondent and set her at liberty.

2. Heard Mr.G.Vinodh Kumar, learned counsel for the petitioner and Mr.M.Babu Muthumeeran, learned Additional Public Prosecutor appearing for the respondents 1 and 2.



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3. When the matter is taken up for hearing today, the learned

Additional Public Prosecutor would submit that the petitioner had earlier given a complaint with regard to the elopement of his wife during December 2021, based on which, enquiry was conducted and the wife of the petitioner was secured and handed over to the petitioner and thereafter, she was living with the petitioner. Subsequently, the petitioner has given a complaint on 28.04.2022 stating that his wife had scaled over the compound wall and gone out of the house and he suspected that the third respondent has taken his wife. Based on the complaint dated 28.04.2022 given by the petitioner, a case in Gudiyatham Taluk Police Station Crime No.114 of 2022 has been registered by the second respondent/police under the caption “woman missing”. He would further submit that the police are taking steps to find out the whereabouts of the wife of the petitioner.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Gudiyatham Sub-Division, Vellore District, to supervise the investigation in Gudiyatham Taluk Police Station Crime No.114 of 2022 and keep the petitioner



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informed of the developments, if any. As and when the detenue Megala, aged about 30 years, is secured, she shall be produced before the Judicial Magistrate Court, Gudiyatham, 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.V.N., J.) (A.D.J.C., J.)**  
**04.07.2022**

nsd



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To

- 1.The Judicial Magistrate,  
Gudiyatham, Vellore District.
- 2.The Superintendent of Police,  
Vellore District, Vellore.
- 3.The Deputy Superintendent of Police,  
Gudiyatham Sub-Division,  
Vellore District.
- 4.The Inspector of Police,  
Gudiyatham Taluk Police Station,  
Gudiyatham, Vellore District.
- 5.The Public Prosecutor,  
High Court, Madras.



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**S.VAIDYANATHAN, J.**  
and  
**A.D.JAGADISH CHANDIRA, J.**

nsd

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