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H.C.P.No.2008 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2008 of 2022

R.Manivel

.. Petitioner

Vs

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

2.The Inspector of Police,
Veppur Police Station,
Cuddalore District.

3.Thangadurai

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the first and second respondents to produce the petitioner's wife viz. Padmavathy, aged 25 years, D/o.Poomalai, who is in illegal custody of the third respondent herein, before this Court and set her at liberty.



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For Petitioner : Mr.P.Paramasivam
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 by the petitioner seeking a direction to the first and second respondents to produce his wife viz. Padmavathy, aged 25 years, D/o.Poomalai, who is in illegal custody of the third respondent herein, before this Court and set her at liberty.

2. It is the case of the petitioner that his wife Padmavathy, aged about 25 years, went missing from 15.07.2022 and that the police are not taking effective steps to secure her.

3. Today, N.Chandra (Mobile No.96554 12948), Sub-Inspector of Police, Veppur Police Station, Cuddalore District, is present.



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4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Veppur Police Station Crime No.479 of 2022 has been registered on 20.07.2022 for 'woman missing' and during the course of investigation, it came to light that Padmavathy had a love affair with Thangadurai, third respondent herein and has eloped with him.

5. In such view of the matter, it cannot be stated that the petitioner's wife Padmavathy, aged about 25 years, is in illegal custody of the respondents herein for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Thittakudi Sub-Division, Cuddalore District, to supervise the investigation in Crime No.479 of 2022 that is being conducted by the Inspector of Police, Veppur Police Station, Cuddalore District and keep the petitioner informed of the developments, if any. As and when the detainee Padmavathy, aged about 25 years, is secured, she shall be produced before the Judicial Magistrate Court No.I,



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Vridhachalam, Cuddalore District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

(P.N.P., J.) (TKRJ)
11.10.2022

Index: Yes/No
nsd



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To

1. The Judicial Magistrate No.I,
Vridhachalam, Cuddalore District.
2. The Deputy Superintendent of Police,
Thittakudi Sub-Division,
Cuddalore District.
3. The Superintendent of Police,
Cuddalore,
Cuddalore District.
4. The Inspector of Police,
Veppur Police Station,
Cuddalore District.
5. The Public Prosecutor,
High Court, Madras.



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