



WEB COPY



H.C.P.No.2041 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2022

Coram

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

H.C.P.No.2041 of 2022

Muthulingam

.. Petitioner

Vs

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

2.The Inspector of Police,
Karumalaikoodal Police Station,
Mettur Dam – 3, Salem District.
(Crime No.158 of 2022)

3.V.Krishnan

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body and person of the petitioner's wife Saritha, who is aged about 26 years and daughter and son by name Sasmitha Sri, who is aged about 6



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years and Tharanis, who is aged about 4 years, who have been illegally detained by the third respondent herein, before this Court and set them at liberty.

For Petitioner : Mr.M.R.Jothimanian

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 Saritha, aged about 26 years and daughter and son *viz.* Sasmitha Sri and Tharanis, aged about 6 years and 4 years, respectively, who have been illegally detained by the third respondent herein, before this Court and set them at liberty.

2. It is the case of the petitioner that his wife Saritha, aged about 26 years went missing along with his daughter and son *viz.* Sasmitha Sri and



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Tharanis, aged about 6 years and 4 years, respectively, from 10.08.2022 and that the police are not taking effective steps to secure them.

3. Today, C.Venugopal (Mobile No.94422 21635), Special Sub-Inspector of Police, Karumalaikoodal Police Station, Mettur, Salem District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that the petitioner, his wife and children came to the parental house of Saritha for a temple festival and after staying for a few days, the petitioner went to his village in Mettur Taluk. However, the parents of Saritha called him and said that Saritha and two children have gone missing and therefore, he gave a complaint, based on which, a case in Karumalaikoodal Police Station Crime No.158 of 2022 has been registered on 11.08.2022 for “woman, girl and boy missing”; the petitioner suspected the involvement of third respondent and therefore, the police made search of the third respondent in Coonoor and other areas, but, in vain.



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Hence, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Mettur Sub-Division, Salem District, to supervise the investigation in Crime No.158 of 2022 that is being conducted by the Inspector of Police, Karumalaikoodal Police Station and keep the petitioner informed of the developments, if any. As and when the petitioner's wife Saritha, aged about 26 years and daughter and son viz. Sasmitha Sri and Tharanis, aged about 6 years and 4 years, respectively, are secured, they shall be produced before the Judicial Magistrate Court No.II, Mettur, Salem 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)
14.10.2022

Index: Yes/No
nsd



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- 1.The Judicial Magistrate No.II,
Mettur, Salem District.
- 2.The Superintendent of Police,
Salem District, Salem.
- 3.The Deputy Superintendent of Police,
Mettur Sub-Division, Salem District.
- 4.The Inspector of Police,
Karumalaikoodal Police Station,
Mettur, Salem District.
- 5.The Public Prosecutor,
High Court, Madras.



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and
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