



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.2158 of 2021

V.Ganesan

... Petitioner/
Hasband of the detenu

Vs.

1. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu District.

... Respondents/Complainants

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent herein to produce the body and person of the detenu by name Saraswathy, wife of the petitioner herein, aged about 39 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Tamilpriyan

For Respondents : 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 2nd respondent herein to produce the body and person of the detenu by name Saraswathy, wife of the petitioner herein, aged about 39 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he got married to Saraswathy around twenty years ago and they were blessed with two sons viz., Vasanthan and Karish Kanna, aged about 18 and 16 years, respectively; while that being so, her wife went missing from 01.11.2021 and thereafter, her whereabouts are not known.



3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Maraimalai Nagar Police Station Crime No.1033 of 2021 was registered on 05.11.2021 for 'woman missing' and the investigation conducted so far revealed that the petitioner's wife has developed intimacy with one Sathish Kumar and has eloped with him.

Recording the same, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Chengalpattu Sub-Division, to supervise the investigation in Maraimalai Nagar Police Station Crime No.1033 of 2021 and keep the petitioner informed of the developments, if any. As and when detinue Saraswathy, aged about 39 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Chengalpattu, 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 II)

//True Copy//

Sub Assistant Registrar

nsd
To

1. The Judicial Magistrate No.I,
Chengalpattu.
2. The Deputy Superintendent of Police,
Chengalpattu Sub-Division.
3. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
4. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu District.
5. The Public Prosecutor,
Madras High Court, Chennai - 600 104.

+1cc to Mr.M.Tamilpriyan, Advocate, S.R.No. 1770

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SRA(CO)
CT 25/01/2022