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H.C.P.No.2076 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

Coram

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

H.C.P.No.2076 of 2022

B.Kumar

.. Petitioner

Vs

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

2.The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents/police 1 and 2 to produce the petitioner' wife and children viz. (1) Uma, aged about 38 years, (2) Anusuya, aged about 16 years, (3) Anjali, aged about 15 years and (4) Arun, aged about 12 years, before this Court and set them at liberty.



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For Petitioner : Mr.B.Gopalakrishnan

For Respondents : 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 respondents/police to produce the his wife and children viz. (1) Uma, aged about 38 years, (2) Anusuya, aged about 16 years, (3) Anjali, aged about 15 years and (4) Arun, aged about 12 years, before this Court and set them at liberty.

2. It is the case of the petitioner that he got married to Uma and through the wedlock, he has four children viz. Anand, Anusuya, Anjali and Arun; he left his family in his house at Uthandapalayam Village in Polur Taluk and went on employment to Kerala; on 30.08.2022, while he was in Kerala, his eldest son Anand called him and told him that Uma and other three children are not available at home; therefore, he rushed to the village



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and gave a police complaint, based on which, a case in Santhavasal Police Station Crime No.371 of 2022 has been registered on 06.09.2022 for “woman, girls and boy missing”. It is the grievance of the petitioner that the police are not taking effective steps to secure his wife and children.

3. Today, G.Narayanan (Mobile No.94981 51278), Sub-Inspector of Police, Santhavasal Police Station, Tiruvannamalai District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that the investigation in Crime No.371 of 2022 is in progress and based on the Call Detail Record (CDR), the police are of the opinion that the petitioner's wife and children are near Ernakulam in the company of one Bhiman, who is the friend of the petitioner.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Arni Sub-Division, Tiruvannamalai District, to supervise the investigation in Crime No.371 of 2022 that is being conducted by the Inspector of Police, Santhavasal Police



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Station, Tiruvannamalai District and keep the petitioner informed of the developments, if any. As and when the petitioner's wife *viz.* Uma, aged about 38 years and children *viz.* Anusuya, aged about 16 years, Anjali, aged about 15 years and Arun, aged about 12 years, are secured, they shall be produced before the Judicial Magistrate Court, Polur, Tiruvannamalai 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)
19.10.2022

Index: Yes/No
nsd



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To

- 1.The Judicial Magistrate,
Polur, Tiruvannamalai District.
- 2.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Deputy Superintendent of Police,
Arni Sub-Division,
Tiruvannamalai District.
- 4.The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
- 5.The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH, J.
and
RMT.TEEKAA RAMAN, J.

nsd

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