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H.C.P.No.2212 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

Coram

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

H.C.P.No.2212 of 2022

A.Annamalai

.. Petitioner

Vs

The State of Tamil Nadu represented by

1.The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

2.The Inspector of Police,
Sulur Police Station,
Coimbatore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents police to produce before this Court the missing person Kala Annamalai, wife of the petitioner, Hindu, aged about 47 years or the body of the said person and set her at liberty.



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For Petitioner : Mr.V.Rajendran

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 his Kala Annamalai, aged about 47 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he got married to Kala on 24.02.2022 and through the wedlock, he has two children viz. Venkatesh and Archana, aged about 19 years and 17 years, respectively; after the birth of his daughter, his wife got affected by Shizophrenia. It is the grievance of the petitioner that despite his complaint, the police are not taking effective steps to secure his wife.

3. Today, N.Sasikumar (Mobile No.83000 01010), Special Sub-Inspector of Police, Sulur Police Station, Coimbatore 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 Suler Police Station Crime No.500 of 2022 has been registered on 24.08.2022 and investigation is in progress.

5. In such view of the matter, it cannot be stated that Kala is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus. It is seen that Kala is suffering from some mental illness.

Hence, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Karumathampatti Sub-Division, Coimbatore District, to supervise the investigation in Crime No.500 of 2022 that is being conducted by the Inspector of Police, Suler Police Station, Coimbatore District and keep the petitioner informed of the developments, if any. As and when the detenue Kala, aged about 47 years, is secured, she shall be produced before the Judicial Magistrate Court, Suler, Coimbatore District, under intimation to the petitioner. On such production, the learned



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Magistrate may pass appropriate orders with regard to custody in accordance with law.

(P.N.P., J.) (TKRJ)
07.11.2022

nsd

To

- 1.The Judicial Magistrate,
Sulur, Coimbatore District.
- 2.The Deputy Superintendent of Police,
Karumathampatti Sub-Division,
Coimbatore District.
- 3.The Superintendent of Police,
Coimbatore Rural,
Coimbatore.
- 4.The Inspector of Police,
Sulur Police Station,
Coimbatore District.
- 5.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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and
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