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H.C.P.No.2370 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **G.CHANDRASEKHARAN**

H.C.P.No.2370 of 2022

Sumathi

.. Petitioner

Vs

- 1.The Superintendent of Police,
Cuddalore District.
- 2.The Deputy Superintendent of Police,
Cuddalore Division, Cuddalore District.
- 3.The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore District.
(Crime No.631/2022)

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's husband Murugan, son of Munusamy, aged 53 years, before this Court and set him at liberty.



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For Petitioner : Mr.S.Siva Kumar

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 to produce her husband Murugan, son of Munusamy, aged about 53 years, before this Court and set him at liberty.

2. It is the case of the petitioner that her husband Murugan, aged about 53 years, went missing from 12.06.2022 and that the police are not taking effective steps to secure him.

3. Today, M.Muthukumaran (Mobile No.94981 54771), Special Sub-Inspector of Police, Cuddalore New Town 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 Cuddalore New Town Police Station Crime No.631 of 2022 has been registered on 23.06.2022 for “man-missing” and during the course of investigation, it came to light that Murugan had an affair with one Colanji, wife of Kathiresan and has eloped with her.

5. In such view of the matter, it cannot be stated that Murugan, aged about 53 years, is in the 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, Cuddalore Sub-Division, Cuddalore District, to supervise the investigation in Crime No.631 of 2022 that is being conducted by the Inspector of Police, Cuddalore New Town Police Station, Cuddalore District and keep the petitioner informed of the developments, if any. As and when the detenu Murugan, aged about 53 years, is secured, he



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shall be produced before the Judicial Magistrate Court No.II, 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.) (G.C.S., J.)
23.11.2022

nsd



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To

- 1.The Judicial Magistrate No.II,
Cuddalore District
- 2.The Superintendent of Police,
Cuddalore District.
- 3.The Deputy Superintendent of Police,
Cuddalore Sub-Division, Cuddalore District.
- 4.The Inspector of Police,
Cuddalore New Town Police Station,
Cuddalore District – 607 303.
- 5.The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH, J.
and
G.CHANDRASEKHARAN, J.

nsd

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