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H.C.P.No.2426 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2022

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

H.C.P.No.2426 of 2022

V.Vijayan

.. Petitioner

Vs.

1.The State rep. by
The Commissioner of Police
No.132, Commissioner Office Building
EVK Sampath Road
Vepery, Chennai 600 007

2.The Inspector of Police
Washermenpet Police Station
Chennai
(Crime No.644/2022)

3.Prakash

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 and 2 to produce the body of the petitioner's wife Ramya, aged about 30 years, D/o.K.Ganesan, before this Court and set her at liberty.



For Petitioner : Mr.P.Krishnan

For R1 and R2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

It is the case of the petitioner that his wife *viz.*, Ramya, aged about 30 years, went missing on 23.09.2022, leaving behind their two children with him and that she is in the illegal custody of the 3rd respondent; he is unable to trace her; despite lodging of a complaint, the police are not taking effective steps to secure her and hence, the present habeas corpus petition seeking a direction to the respondents 1 and 2 to produce her before this Court and set her at liberty.

2. Today, Mr.E.Ramesh, Sub Inspector of Police, H-1, Washermenpet Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by Ganesan (Ramya's father), a case in



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Washermenpet P.S. Crime No.644 of 2022 has been registered on 25.09.2022 for woman missing and during the course of investigation, it came to light that the 3rd respondent is very much available in his house. However, the learned counsel for the petitioner submitted that the 3rd respondent has kept Ramya, in his relative's house in Puttur, Andhra Pradesh.

4. Be that as it may, the fact remains that Ramya is not in the illegal custody of police. Hence, we direct the Assistant Commissioner of Police, Washermenpet to supervise the investigation in Washermenpet P.S. Crime No.644 of 2022 and keep the petitioner informed of the developments, if any. As and when Ramya is secured, she shall be produced before the XV Metropolitan Magistrate, George Town, Chennai, under due intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of Ramya.

With the above directions, this habeas corpus petition stands closed.

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[P.N.P., J.] [T K R, J.]
29.11.2022



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P.N.PRAKASH, J.

AND

RMT.TEEKAA RAMAN, J.

gya

To

1.The XV Metropolitan Magistrate
George Town, Chennai

2.The Assistant Commissioner of Police
Washermenpet

3.The Commissioner of Police
No.132, Commissioner Office Building
EVK Sampath Road
Vepery, Chennai 600 007

4.The Inspector of Police
Washermenpet Police Station
Chennai

5.The Public Prosecutor
High Court, Madras

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