



WEB COPY



H.C.P.No.2555 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.12.2022

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

H.C.P.No.2555 of 2022

Raja

.. Petitioner

Vs.

1.The Superintendent of Police
O/o.The Superintendent of Police
Near Collectorate Office
Namakkal

2.The Inspector of Police
Vennandur Police Station
Namakkal District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent to find the petitioner's sister *viz.*, Rathika, aged about 35 years and produce her before this Court and set her at liberty.



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For Petitioner Mr.V.Anandhamurthy
For Respondents Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Made by P.N.PRAKASH, J.)

It is the case of the petitioner that his sister *viz.*, Rathika, aged 35 years, W/o.Thangarasu, went missing on 01.10.2022; he is unable to trace her sister; 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 2nd respondent to produce her before this Court and set her at liberty.

2. Today, Mr.P.Subramaniam, Special Sub-Inspector of Police, Vennandur Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by Thangarasu, a case in Vennandur P.S. Crime No.208 of 2022 has been registered on 02.10.2022 for “woman-missing”



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and during the course of investigation, it came to light that Radhika has some difference of opinion with her husband Thangarasu and therefore, she has left the matrimonial home, leaving the two children with her husband.

4. In such view of the matter, it cannot be stated that Radhika is in the illegal custody of the respondents. However, we direct the Deputy Superintendent of Police, Rasipuram, to supervise the investigation in Vennandur P.S. Crime No.208 of 2022 and ensure that the investigation is completed expeditiously and keep the petitioner informed of the developments, if any. As and when the detenue *viz.*, Radhika is secured, she shall be produced before the Judicial Magistrate No.II, Rasipuram, under due intimation to the petitioner and Thangarasu. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of the detenue.

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

J.]

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[P.N.P., J.]

[N.A.V.,

13.12.2022



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P.N.PRAKASH, J.

AND

N.ANAND VENKATESH, J.

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To

1.The Superintendent of Police
O/o.The Superintendent of Police
Near Collectorate Office
Namakkal

2.The Deputy Superintendent of Police
Rasipuram

3.The Judicial Magistrate No.II
Rasipuram

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4.The Inspector of Police
Vennandur Police Station
Namakkal District

5.The Public Prosecutor
Madras High Court
Chennai

13.12.2022