



HCP No.2646 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

H.C.P.No.2646 of 2022

Jayasurya @ Kanimozhi
W/o.A.Radhakrishnan

.. Petitioner

Vs.

1.State rep by
The Superintendent of Police,
Manjakuppam, Cuddalore District,
Cuddalore – 607 001.

2.The Sub Inspector of Police,
Veppur Police Station,
Main Road, Veppur – 606 304.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to produce the body of the petitioner's husband A.Radhakrishnan, Male aged about 31 years before this Court and set him at liberty.



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For Petitioner : Mr.S.Illamvaludhi
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents to produce the petitioner's husband A.Radhakrishnan, aged about 31 years, before this Court and set him at liberty.

2. Today, Mr.M.Ramachandran, Inspector of Police, Veppur Police Station [Mobile No.94981 73648], is present.

3. The case of the petitioner is that her husband A.Radhakrishnan went missing from 19.11.2022 and that police are not taking effective steps to secure him.



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4. On instructions, the learned Additional Public Prosecutor submitted that Radhakrishnan was employed in Singapore; he came for his mother's retirement sometime in October, 2022 and participated in the retirement function on 31.10.2022; on 31.10.2022, a quarrel ensued between the petitioner and her husband, in which the petitioner appears to have questioned her husband as to where he has secreted the money earned by him at Singapore; this quarrel appears to have snowballing resulting in Radhakrishnan becoming scarce. The learned Additional Public Prosecutor further submitted that the petitioner sent a complaint only through on-line and has not given any complaint in-person.

5. In such view of the matter, we direct the petitioner to go in-person and give a written complaint to the 2nd respondent and on such complaint being given, the 2nd respondent is directed to register a regular case for 'man missing' and take up the investigation of the case. As and when, Radhakrishnan is secured, he shall be produced before the learned Judicial Magistrate I, Virudhachalam, under intimation to the petitioner. On such



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production, the learned Judicial Magistrate shall pass appropriate orders with regard to custody in accordance with law.

With the above direction, this Habeas Corpus Petition is closed.

[P.N.P., J]

[N.A.V., J]

22.12.2022

Index: Yes/No
gm/ssr



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- 1.The Judicial Magistrate I,
Virudhachalam
- 2.The Superintendent of Police,
Manjakuppam, Cuddalore District,
Cuddalore – 607 001.
- 3.The Sub Inspector of Police,
Veppur Police Station,
Main Road, Veppur – 606 304.
- 4.The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH, J
and
N.ANAND VENKATESH, J

gm/ssr

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