



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.518 of 2022

S.Sivakumar

... Petitioner/husband and
father of the detenus

Vs.

1.The Commissioner of Police,
Trichy City,
Trichy District.

2.The State by the Inspector of Police,
Srirangam Police Station,
Trichy.
(Crime No.285 of 2021)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 1st and 2nd respondents namely Lalitha, aged about 27 years and their two sons namely S.Hrithik, aged about 9 years and S.Harish, aged about 5 years before this Honourable Court and to set them at liberty.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

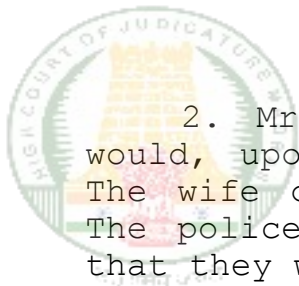
O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks production of the person of his wife namely Lalitha, aged about 27 years and two children namely Hrithik, aged about 9 years and Harish, aged about 5 years. According to the petitioner, they went missing on 09.03.2021. Complaining inaction on the part of the respondent police, the petitioner has come up with this case.



2. Mr.T.Senthil Kumar, learned Additional Public Prosecutor, would, upon instructions, submit that it is a case of elopement. The wife of the petitioner had eloped with her neighbour Balaji. The police have launched a serious search and they are confident that they would apprehend them in the near future.

3. Considering the fact that it is a case of elopement, we do not think that this Habeas Corpus Petition should be kept pending. Hence, this Habeas Corpus Petition is closed.

4. The police are directed to secure the detenus, particularly, the minor children and produce them before the jurisdictional Magistrate at the earliest. The Assistant Superintendent of Police, Srirangam, is required to monitor the investigation as welfare of the minor children is involved.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

Pm

To:

- 1.The Commissioner of Police,
Trichy City, Trichy District.
- 2.The State by the Inspector of Police,
Srirangam Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.518 of 2022
27.04.2022

PKP/16.05.2022/2P/4C