



HCP(MD)No.1095 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.07.2022

CORAM

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mrs. Justice **R.HEMALATHA**

H.C.P.(MD)No.1095 of 2022

G.Rajasekaran @ Kani

.. Petitioner / husband of
the detenue

Vs.

1.The Superintendent of Police,
Madurai, Madurai District

2.The Deputy Superintendent of Police,
Oomachikulam Circle,
Madurai District.

3.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 1st and 2nd respondents to produce the person or body of the detenues namely, Vennila, W/o.G.Rajasekaran @ Kani, aged 29 years, and the petitioner's minor daughter Riya, D/o.G.Rajasekaran @ Kani aged 3 years before this Court and set them at liberty.



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For Petitioner : Mr.M.Chandrabose
For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R.hEMALATHA, J.**]

It is the case of the petitioner that he got married to Vennila and has two children through the wedlock, namely, Jainitheen, aged 6 years and Riya aged about 3 years. It is the further allegation of the petitioner that his wife went missing from 19.06.2022 along with his daughter Riya leaving behind Jainitheen with him and that her whereabouts are not known.

2. Today, Mr.S.Singaraj, Sub Inspector of Police, Oomachikulam Police Station, Madurai, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Oomachikulam Police Station Crime No.33/2022 has been registered for 'woman and girl missing' and during the course of investigation, it came to light that Vennila



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developed intimacy with one Suriya Raj and had eloped with him. In such view of the matter, it cannot be stated that Vennila is in the illegal custody of the respondents herein for issuance of a Writ of Habeas Corpus. Hence, this petition is closed with a direction to the Deputy Superintendent of Police, Oomachikulam Circle, to monitor the investigation that is being conducted by the Inspector of Police, Oomachikulam Police Station in Crime No.33/2022 and keep the petitioner informed of the developments, if any. As and when Vennila and Riya are secured, they may be produced before the Judicial Magistrate, No.V, under intimation to the petitioner and the learned Magistrate may pass appropriate orders with regard to custody.

(P.N.P.,J.) (R.H.,J.)
08.07.2022

Internet : Yes
RR



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- 1.The Judicial Magistrate, No.V
Madurai.
- 2.The Superintendent of Police,
Madurai, Madurai District
- 3.The Deputy Superintendent of Police,
Oomachikulam Circle,
Madurai District.
- 4.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.N.PRAKASH,J.
and
R.HEMALATHA, J.

RR

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