



HCP(MD)No.1163 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.07.2022

CORAM

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

H.C.P.(MD)No.1163 of 2022

Rajapandi

.. Petitioner / Father
of the detenu

Vs.

1.The Superintendent of Police,
Virudhunagar District
Virudhunagar.

2.The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District

3.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi, Virudhunagar District

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents to secure and produce the body or person of the detenu namely Shamela, W/o.Rajapandi, aged about 28 years and the petitioner's minor daughter namely Raja Yuvani Shree, D/o.Rajapandi, aged about 8 years, before this Court and set them at liberty.



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For Petitioner : Mr.S.M.Anantha Murugan
For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that he got married to Shamela and through the wedlock, he has a daughter Raja Yuvani Shree, aged 8 years. According to the petitioner, his wife Shamela was working in Bhagavan Sparklers Factory in Sivakasi and that she went missing from 01.07.2022 taking the child with her.

2.Today, Eraniyan, Special Sub Inspector of Police, Sivakasi East Police Station, Virudhunagar District, is present.

3.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Sivakasi East Police Station Crime No.290/2022 was registered for 'woman and girl missing' and during the course of investigation, it came to light that Shamela developed intimacy with one Shameem Akhthar and had eloped with him to Assam.



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4. In the light of the above, it cannot be stated that the petitioner's wife is in the illegal custody of anyone. However, we direct the Deputy Superintendent of Police, Sivakasi Sub Division, to monitor the investigation that is being conducted by the Inspector of Police, Sivakasi East Police Station in Crime No.290/2022 and keep the petitioner informed of the developments, if any. As and when the detenues are secured, they may be produced before the Judicial Magistrate, No.II, Sivakasi, under intimation to the petitioner and the learned Magistrate may pass appropriate orders with regard to custody. Accordingly, this petition is closed.

(P.N.P.,J.) (R.H.,J.)
15.07.2022

Internet : Yes
RR



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To

1. The Judicial Magistrate, No.II
Tirunelveli.

2. The Superintendent of Police,
Virudhunagar District
Virudhunagar.

3. The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District

4. The Inspector of Police,
Sivakasi East Police Station,
Sivakasi, Virudhunagar 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

H.C.P.(MD)No.1163 of 2021

15.07.2022