



**H.C.P.(MD) No.1420 of 2022**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.09.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH**

**AND**

**THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

**H.C.P.(MD) No.1420 of 2022**

V.Viju

... Petitioner

Vs.

1. The Superintendent of Police,  
Kanniyakumari,  
Kanniyakumari District.

2.The Inspector of Police,  
Pudhukadai Police Station,  
Kanniyakumari.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 herein to produce the body or person of the detenues by name Srija, W/o.Viju, aged



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about 27 years, Vinothika, D/o.Viju (aged 7 years) and Adlin Vino Singh, S/o.Viju (aged 5 years) before this Court and set them at liberty.

For Petitioner : Mr.K.Thenrajan

For Respondents : Mr.S.Ravi,  
Additional Public Prosecutor

### **ORDER**

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

This Habeas Corpus Petition has been filed seeking to direct the respondents to produce the petitioner's wife and children namely, Srija, W/o.Viju, aged about 27 years, Vinothika, D/o.Viju (aged 7 years) and Adlin Vino Singh, S/o.Viju (aged 5 years) before this Court and set them at liberty.

2. The case of the petitioner is that his wife Srija, aged about 27 years went missing along with his two children namely, Vinothika, aged about 7 years and Adlin Vino Singh, aged about 5 years, from 24.05.2022 and that the police are not taking effective steps to secure



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them. Hence, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

3. On instructions, Mr.S.Ravi, learned Additional Public Prosecutor appearing for the respondents submitted that on the complaint given by the petitioner, a case in Puthukadai Police Station Crime No.152 of 2022 has been registered on 24.05.2022 for 'woman, girl and boy missing' and the investigation is in progress. He also submitted that Srija has left a letter in the house before her departure stating that she is leaving on account of a quarrel with her husband.

4. In such view of the matter, it cannot be stated that Srija and children are in the illegal custody of the respondents herein for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Colachel Sub Division, to supervise the investigation in Puthukadai Police Station Crime No.152 of 2022 and keep the petitioner informed of the developments, if any. As and when the petitioner's wife and children, namely, Srija, Vinothika, Adlin Vino Singh,



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are secured, they shall be produced before the Judicial Magistrate Court No.II, Kuzhithurai, Kanyakumari District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody, in accordance with law.

5. Hence, this habeas corpus petition stands closed.

[P.N.P., J.] [R.H., J.]  
01.09.2022

Index : Yes / No  
Internet : Yes / No  
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Copy to

1. The Deputy Superintendent of Police,  
Colachel Sub Division,  
Kanyakumari District.
2. The Judicial Magistrate Court No.II,  
Kuzhithurai,  
Kanyakumari District.
3. The Superintendent of Police,  
Kanniyakumari,  
Kanniyakumari District.
4. The Inspector of Police,  
Pudhukadai Police Station,  
Kanniyakumari.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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

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