



HCP(MD)No.1410 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.08.2022

CORAM

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

H.C.P.(MD)No.1410 of 2022

P.Muthulingam

... Petitioner/Husband and father of Detenues

Vs

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Deputy Superintendent Of Police,
Aandipatti Circle, Theni District.
- 3.The Inspector of Police,
Gandamanur Vilaku Police Station,
Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the Respondents herein to produce the body or person of the detenues by name M.Akshan, S/o.P.Muthulingam, aged about 2 years and M.Anitha,W/o.P.Muthulingam, aged about 25 years and produce them before this Court and set them at liberty.



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For Petitioner : Mr.K.Dinesh

For Respondents : Mr.T.Senthil Kumar
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 Anitha and through the wedlock, he has two children, viz., Atchaya (4 years) and Akshan (2 years). While that being so, Anitha developed intimacy with one Maheswaran and eloped with him on 04.06.2022. On a complaint given by the petitioner, a case in Theni Town Police Station Crime No.184/2022 was registered for 'woman missing' and Anitha was secured on 11.06.2022 and handed over to the petitioner. While so, once again Anitha has gone missing along with his son Akshan (2 years) from 27.07.2022 and that the whereabouts of Anitha and the child are not known to the petitioner. Hence, the petitioner has filed the present Habeas Corpus Petition.

2. Today, Mr.Gunasekaran, Special Sub Inspector of Police, Kandamanur Vilakku Police Station, is present.



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3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Kandamanur Vilakku Police Station Crime No.142/2022 was registered for 'woman and boy missing' and that the investigation is in progress.

4. In such circumstances, we direct the Deputy Superintendent of Police, Andipatti Sub Division, to supervise the investigation that is being conducted by the Inspector of Police, in Kandamanur Vilakku Police Station Crime No.142/2022 and keep the petitioner informed of the developments, if any, and as and when Anitha and Akshan are secured, they may be produced before the Judicial Magistrate, Andipatti, under intimation to the petitioner and the learned Magistrate may pass appropriate orders with regard to custody. Accordingly, this Habeas Corpus Petition is closed.

(P.N.P.,J.) (R.H.,J.)
26.08.2022

Index : Yes/No
Internet : Yes
RR



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To

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent Of Police,
Aandipatti Circle, Theni District.
3. The Inspector of Police,
Gandamanur Vilaku Police Station,
Theni District.
4. The Inspector of Police,
Theni Town Police Station
Crime No.184/2022
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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and
R.HEMALATHA,J.

RR

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