



H.C.P.No.26 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

H.C.P.No.26 of 2023

J.Sridhar

.. Petitioner

Vs.

1.The District Superintendent of Police,
O/o.The District Superintendent of Police,
Thiruvarur.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thiruthuraipoondi.

3.The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruthuraipoondi.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the body and person of the petitioner's wife S.Gowsalya, female, 27 years, before this Court and set her at liberty.



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For Petitioner : Mr.R.Nareshkumar
for Mr.Sekar S.

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce his wife S.Gowsalya, aged about 27 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he was married to one Gowsalya on 24.03.2011 and out of their wed-lock, they were blessed with two children viz. Sai Prasanna and Karthikeyan, aged about 11 and 8 years, respectively; that being the case, his wife Gowsalya went missing from 18.11.2023 leaving behind her children and the petitioner. It is the grievance of the petitioner that, despite the complaint being lodged, the Police are not taking effective steps to secure his wife.

3. On instructions, the learned Additional Public Prosecutor appearing for the respondents submitted that on a complaint sent by the petitioner through registered post, a case in Crime No.8 of 2023 on the file of the



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Thiruthuraipoondi Police Station, has been registered on 05.01.2023 under the caption 'woman-missing' and during the course of investigation, it came to light that the detenue Gowsalya developed an illegal intimacy with another person and eloped with him.

4. Recording the above submission of the learned Additional Public Prosecutor, this habeas corpus petition stands closed, with a direction to the Deputy Superintendent of Police, Thiruthuraipoondi Sub-Division, Tiruvarur District, to supervise the investigation in Crime No.8 of 2023 that is being conducted by the Inspector of Police, Thiruthuraipoondi Police Station, Thiruthuraipoondi, Tiruvarur District and keep the petitioner informed of the developments, if any. As and when the detenue Gowsalya, aged about 27 years, is secured, she shall be produced before the Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

(S.V.N., J) (M.S.Q., J)
06.01.2023

nsd/cs



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To
WEB COPY

- 1.The Judicial Magistrate,
Thiruthuraipoondi, Tiruvarur District
- 2.The District Superintendent of Police,
O/o.The District Superintendent of Police,
Tiruvarur.
- 3.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thiruthuraipoondi Sub-Division, Tiruvarur District.
- 4.The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruthuraipoondi.
- 5.The Public Prosecutor,
High Court, Madras.



WEB COPY



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S.VAIDYANATHAN, J
and
MOHAMMED SHAFFIQ, J

CS

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