



WEB COPY



H.C.P.No.46 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

H.C.P.No.46 of 2023

Suresh

.. Petitioner

Vs.

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

2.The Inspector of Police,
Udaiyarpalayam Police Station,
Ariyalur District. (Crime No.249/2022)

3.Joyal

4.Kolanjinadhan

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the detinue *viz.* Ezhilarasi, wife of Suresh, aged about 21 years, before this Court, who is now in the custody of third and fourth respondents and set her at liberty.



WEB COPY



H.C.P.No.46 of 2023

For Petitioner : Mr.V.Illanchezian

For RR 1 and 2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce his wife Ezhilarasi, aged about 21 years, before this Court, who is now in the custody of third and fourth respondents and set her at liberty.

2. It is the case of the petitioner that his wife Ezhilarasi, aged about 21 years, went missing from 13.11.2022 and that she is in the illegal custody of Joyal and Kolanjinadhan, third and fourth respondents herein, respectively.

3. Today, N.Malarazhagan (Mobile No.94981 65514), Sub-Inspector of Police and C.Benedict, Training Sub-Inspector of Police, Udaiyarpalayam Police Station, Ariyalur District, are present.



H.C.P.No.46 of 2023

WEB COPY

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Udaiyarpalayam Police Station Crime No.249 of 2022 has been registered on 14.11.2022 for 'woman-missing' and during the course of investigation, it came to light that Ezhilarasi had an affair with Kolanjinadhan, fourth respondent and has eloped with him. He further submitted that Ezhilarasi carried with her gold jewels worth Rs.10,00,000/-.

5. In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Jayankondam Sub-Division, Ariyalur District, to supervise the investigation in Crime No.249 of 2022 that is being conducted by the Inspector of Police, Udaiyarpalayam Police Station and keep the petitioner informed of the developments, if any. As and when the detainee Ezhilarasi, aged about 21 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Jayankondam, Ariyalur District, under intimation to the petitioner. On



H.C.P.No.46 of 2023

such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

[P.N.P., J.] [N.A.V., J.]
11.01.2023

nsd

To

- 1.The Judicial Magistrate No.II,
Jayankondam, Ariyalur District.
- 2.The Superintendent of Police,
Ariyalur District, Ariyalur.
- 3.The Deputy Superintendent of Police,
Jayankondam Sub-Division,
Ariyalur District.
- 4.The Inspector of Police,
Udaiyarpalayam Police Station,
Ariyalur District.
- 5.The Public Prosecutor,
High Court, Madras.



WEB COPY



H.C.P.No.46 of 2023

P.N.PRAKASH, J.
AND
N.ANAND VENKATESH, J.

nsd

H.C.P.No.46 of 2023

11.01.2023