



WEB COPY



HCP.No.493 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.493 of 2024

B.T.Kavitha

... Petitioner

Vs.

1.The Commissioner of Police,
Avadi Police Commissionerate,
Avadi, Chennai.

2.The Deputy Commissioner,
Avadi Deputy Commissioner Office,
Avadi, Chennai.

3.The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai – 62.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 3rd respondent Police to produce the body or person of petitioner's husband Mr.P.S.Saravanan, aged about 36 years, before this Court and to set him at liberty.

For Petitioner : Mr.K.Ravichandran



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For Respondents

: Mr.E.Raj Thilak,
Additional Public Prosecutor
assisted by Mr.C. Aravind

ORDER

M.S.RAMESH, J.

AND

SUNDER MOHAN, J.

It is the case of the petitioner that when the petitioner's husband, namely Mr.P.S.Saravanan, aged about 36 years, had gone missing, she went to give a complaint on 11.02.2024 before the Thirumullaivoyal Police Station but the Police refused to take the same. Further, she came to know that her husband is in the custody of the Police on the charge of murder. Since there was no update on her husband and her complaint was refused to be taken, she sent a complaint through post to the respondents on 19.02.2024, after which she was also inquired by the Police. Since the petitioner's husband could not be traced within a reasonable time, she has filed the present Habeas Corpus Petition.

2. Today, when the matter was called, the learned Additional Public Prosecutor submitted that a case has been registered in Crime No.59/2024 on 10.02.2024 for the offence under Sections 302 & 307 of IPC against the petitioner's husband and that the respondents are conducting the



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investigation to locate the petitioner's husband.

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3. Since the third respondent Police had registered a case against the petitioner's husband and are in the process of investigating the same, we deem it fit that the second respondent could be directed to expedite the investigation and file a final report.

4. In view of the above, the prayer sought for in the present Habeas Corpus Petition does not require consideration. Accordingly, there shall be a direction to the second respondent herein, to expedite the investigation in Crime No.59/2024 and file a final report, as expeditiously as possible.

5. With the above direction, the Habeas Corpus Petition stands closed.

[M.S.R., J] [S.M., J]
07.03.2024

Index: Yes/No

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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

Sni

To

1.The Commissioner of Police,
Avadi Police Commissionerate,
Avadi, Chennai.

2.The Deputy Commissioner,
Avadi Deputy Commissioner Office,
Avadi, Chennai.

3.The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Thirumullaivoyal, Chennai – 62.

4.The Public Prosecutor,
High Court, Madras.

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