



HCP.No.1049/2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.05.2024

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MRS. JUSTICE R.KALAIMATHI

HCP.No.1049 of 2024

Manju

.. Petitioner

Versus

1. The Commissioner of Police,
Avadi Commissionerate,
Avadi, Thiruvallur District.
2. The Assistant Commissioner of Police,
Red Hills,
Tiruvallur District.
3. The Inspector of Police,
Sholavaram Police Station,
Redhills, Thiruvallur District.

.. Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents 1 to 3 to produce the body or person of the petitioner's husband namely Nagarajan S/o.Venkatesan aged about 30 years, before this Court and set him at liberty forthwith and to produce the body or person of the petitioner's child namely Divanesh S/o.Nagarajan,



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aged about 2 years, before this Court and hand over the custody of him to the petitioner forthwith.

For Petitioner : Mr.W.Camyles Gandhi
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.,]

(1)Mr.A.Gokulakrishnan, learned Additional Public Prosecutor accepts notice on behalf of the respondents.

(2)The petitioner/wife of the detenu Nagaraj, has filed this Habeas Corpus Petition to cause production of her husband who is aged about 30 years, and who is said to have been found missing along with her child Divanesh, aged about 2 years, before this Court and to hand over the custody of the child to her.

(3)When the matter is taken up today, the learned Additional Public Prosecutor submitted that the alleged detenu Nagaraj is the husband of the petitioner herein and based on the complaint of the petitioner, a case has been registered by the 3rd respondent in Crime No.237/2024 for "Man Missing". He would submit that similarly, one Ashok Kumar has



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given a complaint stating that his wife Uma is found missing and based on his complaint, a case in Crime No.236/2024 has been registered by the very same police. He would add that preliminary enquiry reveals that the petitioner's husband Nagaraj, had eloped with the said Uma, wife of Ashok Kumar and the 3rd respondent police is taking effective steps to secure the detenu Nagaraj as well as Uma since the said Nagaraj has gone with the child of the petitioner and as and when, the detenu Nagaraj is traced, it will be intimated to the petitioner herein.

(4)Recording the submission of the learned Additional Public Prosecutor, this petition stands **closed**.

[ADJCJ] [RKMJ]

09.05.2024

AP

Internet : Yes



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To

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2. The Assistant Commissioner of Police,
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Tiruvallur District.
3. The Inspector of Police,
Sholavaram Police Station,
Redhills, Thiruvallur District.
4. The Public Prosecutor
High Court , Madras.



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A.D.JAGADISH CHANDIRA, J.,
and
R.KALAIMATHI, J.,

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