

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 923 of 2026

S.Saraswathi
W/o Shanmugam,
No.1/153, Periyar Street,
Ramji Nagar, Naduveerpattu,
Sriperumbudur Taluk,
Kancheepuram.

..Petitioner(s)

Vs

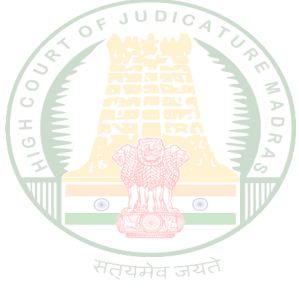
1. The Deputy Commissioner of Police
Tambaram West, Tambaram Police Quarters,
New Market Area, Chennai.
2. The Inspector Of Police
T11, Somangalam Police Station,
Chennai.

..Respondent(s)

PETITION filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the respondents herein to produce the petitioners husband namely shanmugam, son of Muthal, aged about 40 years, before this Honourable Court and set him at liberty.

For Petitioner(s): Ms. S. Kalpika for
M/S Arulselvam Associates

For Respondent(s): Mr.C.R.Malarvannan Counsel for
Government of Tamil Nadu (Criminal



Side)

Order

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(Order of the Court was made by Dr.Anita Sumanth J.)

The wife of one Shanmugam, S/o Muthal is before this Court seeking Writ of Habeas Corpus for producing the detenu.

2. We have heard Ms.S.Kalpika, learned counsel appearing for M/s.Arulselvam Associates and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (Criminal Side).

3. We are of the considered view that on the facts of the case as put forth by the petitioner, this HCP is not maintainable. The petitioner and the detenu have been married 11 years ago and have two children who are school going. According to the petitioner, the detenu is an electrician. Since he consumes alcohol regularly, that has been a bone of contention between the two, and hence, there were frequent quarrels and disputes.

4. On 13.04.2026, it is the case of the petitioner that when she advised her husband not to consume alcohol any further, he was angry, left the house and did not return thereafter. He has not been found, despite a search, paving the way for a complaint filed on 14.04.2026 on the basis of which a case has been registered in Cr.No.90 of 2026 for man missing.



5. According to Mr.Malarvannan, investigation is on-going, enquiries have been conducted, the family has been interacted with and the police are putting all efforts required to locate the detenu.

6. Though there is an incidental reference to an apprehension that the detenu may be under illegal detention or wrongful confinement, we find no basis for the same on the facts of the case. On enquiry with the learned counsel for the petitioner as well, we do not find any material to substantiate that apprehension.

7. Hence, we close this HCP as not maintainable recording the submission of Mr.Malarvannan that efforts will continue in usual course to locate the detenu, keeping the family informed at all times.

(A.S.M.,J.) (S.M.,J.)
23-07-2026

Index: Yes/No

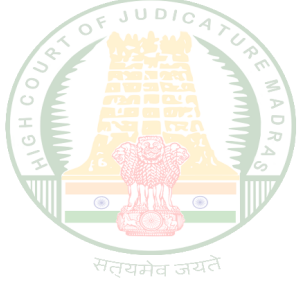
Speaking/Non-speaking order

Neutral Citation: Yes/No

SL

To

1. The Deputy Commissioner of Police
Tambaram West, Tambaram Police Quarters,
New Market Area, Chennai.
2. The Inspector Of Police
T11, Somangalam Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

HCP No. 923 of 2026

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