



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P.(MD)No.1298 of 2015

K.Selvi

... Petitioner

Vs.

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

2.The Inspector of Police,  
B1, Melur Police Station,  
Melur, Madurai.

3.The Sub Inspector of Police,  
B1, Melur Police Station,  
Melur, Madurai.

4.Malaisamy

5.Vijayakumar

6.Rajkumar

7.Poomayil

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 3<sup>rd</sup> respondent herein to produce the petitioner's husband / detenu Kumaravel, aged about 32 years, before this Court for eventual restoration of the custody of the petitioner herein.

For Petitioner

: Mr.M.Kalliraj

For Respondents

: Mr.K.S.Duraipandian,

1 to 3

Addl. Public Prosecutor

For respondents 4 to 7

: Mr.B.Prahalad Ravi

#### ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner is the wife of one Mr.Kumaravel, aged about 32 years. Mr.Kumaravel has been missing from the year 2014. On a complaint made by the petitioner, a case has been registered in Crime No.541 of 2015. Since Mr.Kumaravel has not been secured so far, the petitioner has come up with this petition.

2.We have heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 and the learned counsel appearing for the respondents 4 to 7.

3.The learned counsel appearing for the petitioner would submit that no steps were taken by the second respondent to trace out

Mr. Kumaravel



4. The learned Additional Public Prosecutor submitted that there appears to have been misunderstanding between the petitioner and her husband and because of the same, the detenu has gone elsewhere. The efforts are being taken by the second respondent to trace him out.

5. The learned counsel appearing for the respondents 4 to 7 would submit that they have got nothing to do with missing of Mr. Kumaravel.

6. We have considered the above submissions. Rightly, a case has been registered in respect of missing of Mr. Kumaravel. Though Mr. Kumaravel was missing from the year 2014, the complaint was made only on 10.07.2015. There is no explanation for the same. At any rate, now the investigation has taken a right direction. If the petitioner has got any grievance regarding the manner in which the investigation is being done, she can work out her remedy in the manner known to law. Since there is no illegal detention, no relief can be granted in this petition.

7. In view of the above, this Habeas Corpus Petition is dismissed leaving it open to the petitioner to work out her remedy in the manner known to law.

Sd/-

The Assistant Registrar (AS)

/True copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,  
Madurai District, Madurai.
2. The Inspector of Police,  
B1, Melur Police Station,  
Melur, Madurai.
3. The Sub Inspector of Police,  
B1, Melur Police Station,  
Melur, Madurai.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to M/s. HallMark Associates, Advocate SR.No.58274

sm:sks:16.10.2015:2P/6c

H.C.P. (MD) No.1298 of 2015  
01.10.2015