



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.1469 of 2015

Sundaram

... Petitioner

Vs.

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

2. The Inspector of Police,
Rajasthan Police Station,
Theni District.

3. Veeramuthu

4. Rowthakka

5. Ethiraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenu namely Jeyachithra, W/o.Sundaram, aged about 35 years, before this Court and set her at liberty forthwith.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.K.S.Duraipandian,
1 & 2 Addl. Public Prosecutor

For respondents 3 to 5 : No appearance

ORDER

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

The petitioner has come up with this petition alleging that his wife one Mrs.Jeyachitra has been found missing from 26.09.2015 onwards. In this regard, he has made a complaint on 12.10.2015. Since his wife has not been rescued, the petitioner has come up with this Habeas Corpus Petition.

2.This petition has come up today for admission. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State. We have also perused the records carefully.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Additional Public Prosecutor would submit that the complaint was received by the second respondent only on



14.10.2015 and on receipt of the same, a case has been registered in Crime No.366 IPC and the same is under investigation.

4. In our considered view, this petition is a clear abuse of process of Court, because having sent the complaint only on 12.10.2015 and even without offering breathing time for the Police to take action in the matter, the petitioner has come up with this Habeas Corpus Petition on 13.10.2015. In view of the same, this Habeas Corpus Petition is liable to be dismissed as highly premature. Accordingly, this Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District, Theni.
2. The Inspector of Police,
Rajasthan Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.B.ANANDAN, ADVOCATE IN SR NO. 61900

GCG
SH/JFB-DP/ : 04/11/2015 : 2P/5C

H.C.P.(MD)No.1469 of 2015
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