



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

H.C.P (MD) No.1252 of 2015

Pathirakali : Petitioner
Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Oovari Police Station,
Tirunelveli District.

3.Ponpandi : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents police to produce the person or body of the petitioner's daughter, namely, Mutharasi, D/o.Ramakani Nadar, aged 23 years, before this Court and set her at liberty.

For Petitioner : No Appearance
For Respondents 1&2 : Mr.C.Mayil Vahana Rajendran,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The petitioner has come up with this Habeas Corpus Petition to direct the first and second respondents to produce the person or body of her daughter - Mutharasi, aged about 23 years, stating that she was found missing since January, 2014.

2. When the Habeas Corpus Petition was taken up for consideration, the learned Additional Public Prosecutor produced a status report filed by the Superintendent of Police, Tirunelveli District. According to the Superintendent of Police, investigation of the case in Crime No.24 of 2014 revealed that the detenu was murdered by two persons, by name Jeyakumar @ Kuttaian and Amalraj Chivile. The police, thereafter, altered the First Information Report and arrested the accused during the course of investigation. According to the Superintendent of Police, the



accused were remanded to judicial custody by the learned Judicial Magistrate on 19 July, 2016.

3. The status report filed by the Superintendent of Police clearly shows that the detenu was murdered. Under such circumstances, there is no scope for keeping this Habeas Corpus Petition pending. We, therefore, close the Habeas Corpus Petition.

4. We direct the Superintendent of Police, to complete the investigation of the case in Crime No.24 of 2014 and lay the charge sheet against the concerned accused, as expeditiously as possible.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Oovari Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

sml

sm:NGM-MP:02.08.2016:2P/4C

Order made in
H.C.P (MD) No.1252 of 2015

Dated:
25.07.2016