



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2016**

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P. (MD) No.1061 of 2016

A.Subha

: Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Karimedu Police Station,
Karimedu,
Madurai District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the first and second respondents to produce the body or detenu, namely Arockiyaraj, son of Late.Vellaisamy, aged about 33 years before this Court and set him at liberty.

For Petitioner : Mr.B.Thanga Aravindh

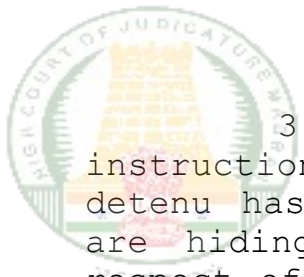
For Respondents : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of one Mr.V.Arockiaraj, S/o. (Late) Vellaisamy, aged 33 years. The detenu was addressing prayers organized by the people of Christian Community and preaching Bible to them. According to the petitioner, on 09.06.2016, the detenu went to Trichy to attend a prayer and thereafter, he did not return. With this allegation, the petitioner made a complaint to the second respondent on 26.06.2016, but, so far, he has not been secured, it is the grievance of the petitioner. Therefore, she has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the State. We have also perused the records carefully.



3. The learned Additional Public Prosecutor, on instructions from the second respondent, would submit that the detenu has eloped with one Mrs.Velvizhi, aged 36 years and they are hiding elsewhere and their whereabouts was not known. In respect of missing of Mrs.Velvizhi, a case has been registered on the file of Perambalur Police Station in Crime No.634 of 2016 as "woman massing case" and the same is under investigation.

4. It is the grievance of the petitioner that so far no case has been registered by the second respondent in respect of missing of the detenu.

5. Therefore, we direct the second respondent to register a case on the complaint of the petitioner and either transfer the case to the file of Perambalur Police Station, so that, both the matters could be investigated together or the case pending on the file of Perambalur Police Station can be transferred to Karimedu Police Station, so that, the same could be investigated along with the present case. Except giving the said direction, we are unable to grant any other relief to the petitioner.

6. The Habeas Corpus Petition is dismissed with the above direction.

7. It is open to the petitioner to approach this Court after waiting for a reasonable time.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Office of the Commissioner of Police, Madurai City, Madurai.

2.The Inspector of Police,
Karimedu Police Station, Karimedu, Madurai District.

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

+1 CC to M/s.B.THANGA ARAVINDH, Advocate, SR No.50191

Order made in
H.C.P. (MD) No.1061 of 2016

SML

SH/DB:15.09.2016:2P/5C

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