



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2016

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

H.C.P. (MD) No.483 of 2016

Mahalakshmi

: Petitioner

Vs.

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

2. The Inspector of Police,
Town Police Station,
Sankarankovil,
Tirunelveli 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 respondents to produce the person or body of the detenu/the petitioner's husband, namely Murugesan, (aged about 63 years), S/o.Ramalingam, before this Court and set him at liberty.

For Petitioner : Mr.J.C.Rathnavel Pandian
For Respondents : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.V.MURALIDARAN, J.)

The petitioner is the wife of one Murugesan, who is alleged to be the detenu, aged about 63 years, missing from the month of September, 2011. She has preferred a complaint to the second respondent on 10.08.2012 and on receipt of the same, CSR receipt has also been issued on the same day. Thereafter, she has given another complaint on 16.03.2013 and finally, on 22.03.2016, stating that her husband, namely Murugesan was found missing. Since he has not been secured so far, the petitioner is before this Court with the present Habeas Corpus Petition.

2. The second respondent has filed a status report, wherein it has been stated that on the basis of the complaint given by the petitioner, a case has been registered in Crime No.201 of 2016 under 'man missing case' and the same is under investigation and in paragraph Nos.9 and 10, he has stated as follows:



"9. I humbly submit that I have sent the details of the missing man Murugesan to the District Crime Record Bureau and also all police stations in the state in Talash Format. I have also sent pertinent pamphlets to all stations in the state through the District Crime Record Bureau for further development in this regard. Besides, I have been constantly watching and comparing the photos of Unidentified Male Dead Bodies through our department Crime and Criminal Tracking and Networking System.

10. I humbly submit that, being the investigation officer, I have taken sincere efforts and made deep investigation to trace the said Murugesan. However, I have not obtained any fruitful results regarding this matter till now. Hence, I have constituted a special team headed by me. The team consists SSI Tr.Sivan, SSI Tr.Sankaranarayanan and HC 808 and PC 1186. Kindly allow me to state that, the missing Murugesan will be traced as early as possible and I sanguine that I will produce him before this Hon'ble High Court of Madras at Madurai Bench."

3. In view of the above said facts, we close the Habeas Corpus Petition by directing the respondent police to expedite the investigation.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.J.C.RATHNAVEL PANDIAN, ADVOCATE IN SR No. 53085

SML

TE/CK : 22/09/2016 : 2P/5C

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

Order made in
H.C.P. (MD) No.483 of 2016
15.09.2016