



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2016

CORAM:

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

H.C.P (MD) No. 915 of 2016

Ambika
W/o.Sivakumar, D/o.Chinnakarupan
Naduvanoor Post
Udkadai, Avichipatti Village,
Natham Taluk, Dindigul District .. Petitioner

Vs.

1.The Director General of Police,
Beach Road, Mylapore, Chennai.

2.The Superintendent of Police,
Dindigul District.

3.The Commissioner of Police,
Tirunelveli.

4.The Inspector of Police,
Natham Police Station,
Natham, Dindigul District

5.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City.

6.Sudalairaj @ Suresh .. Respondents

Prayer:- Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the respondent Nos.1 to 5 to produce the life and limb of the detenu ie., the petitioner's husband Sivakumar, S/o.Chinnakaruppan, aged about 31 years, before this Court and set him at liberty.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.A.Ramar for R1 to R5
Addl.Public Prosecutor

**ORDER**

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

The petitioner is the wife of one Sivakumar, S/o.Chinnakaruppan. According to the petitioner, he has been found missing from the month of April 2016. Despite complaint, since he was not rescued, the petitioner has come up with this petition.

2.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 to 5. We have also perused the records carefully.

3.Today, when the Habeas Corpus Petition was taken up, the learned Additional Public Prosecutor submitted that a dead body was exhumed by the police in connection with the case in Crime No.238/2016 and it is suspected to be that of Mr.Sivakumar. Now, DNA examination is under way and the results are expected.

4. In our considered view, since the investigation is taken in the right direction, there will be no purpose served in keeping this matter pending. We are of the view that it would suffice, if a direction is issued to the police to expedite the investigation giving liberty to the petitioner to approach this Court, after reasonable time, if no further progress is made.

5. In the result, the Habeas Corpus Petition is dismissed with a direction to the police to expedite the investigation and with liberty to the petitioner to approach this Court again, after reasonable time, if no further progress is made in the investigation.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

- 1.The Director General of Police, Beach Road, Mylapore, Chennai.
- 2.The Superintendent of Police, Dindigul District.
- 3.The Commissioner of Police, Tirunelveli.
- 4.The Inspector of Police, Natham Police Station,
Natham, Dindigul District.
- 5.The Inspector of Police,
Thatchanallur Police Station, Tirunelveli City.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.J.Lawrance, Advocate in SR.No.50859