



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA**

H.C.P. (MD) No.1333 of 2017

V.Kani

: Petitioner

Vs.

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

2. The Inspector of Police,
Koomapatty Police Station,
Virudhunagar District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the person or body of the detenu, namely, M.Vedamuthu, S/o.Manivel, aged about 40 years, before this Court and set him at liberty.

For Petitioner : Mr.V.Aranmanai Pandiyan

For R1 and R2 : Mr.C.Ramesh
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R.SUBBIAH, J**]

The present Habeas Corpus Petition has been filed by the wife of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detenu, namely, M.Vedamuthu, S/o.Manivel, aged about 40 years, before this Court and set him at liberty.

2.In the affidavit filed in support of this petition, it has been averred that the petitioner is the wife of the detenu, viz., M.Vedamuthu, S/o.Manivel, aged about 40 years. It is alleged that on 01.07.2017 at about 06.00 p.m., the detenu had gone to Keelapottal of Koomapatty along with one Karuppan and thereafter, he did not return back. Immediately, the petitioner searched for him at various places, but she could not trace out him. Hence, the



petitioner preferred a complaint to the second respondent police on 04.07.2017. On receipt of the said complaint, the second respondent police registered a case in Crime No.106 of 2017 for 'Man Missing'. Since no effective steps were taken by the second respondent, the petitioner has filed the present Habeas Corpus Petition.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the learned Additional Public Prosecutor filed a status report stating that pursuant to the complaint, the second respondent police examined the complainant and her sons and recorded their statement under 161(3) Cr.P.C and also examined various other witnesses. The statement recorded from the witnesses reveal that there was a quarrel between the petitioner/wife and the detenu/husband. Hence, the detenu left the house. It is further stated that on 04.07.2017 the second respondent police prepared Talash Form, Photograph and Pamphlets to the District Crime Record Bureau, Virudhunagar and also informed the District Cyber Crime to trace the detenu's cell number to find out the whereabouts of the detenu. It is further stated that the second respondent police made publication in the daily News Papers like Dinakaran and Thinathanthi along with the Photograph of the missing man.

4.In view of the above and considering the steps taken by the petitioner, we are of the opinion that it is not necessary to keep the Habeas Corpus Petition pending. Hence, the Habeas Corpus Petition is closed. However, the respondent police is directed to investigate the case in Crime No.106 of 2017 and proceed further in accordance with law.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

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

Ns

AE/SKN RSK/SAR1/20.12.2017/2P/4C