



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.11.2017**

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1608 of 2017

M.Pandeeswari

: Petitioner

Vs.

1. The Commissioner Police,
Madurai City,
Madurai.

2. The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai.

Crime No.1132 of 2017

: 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 petitioner's husband namely, Murugeswaran, S/o.Manikandan, aged about 28 years, before this Court and set him at liberty.

For Petitioner : Mr.D.Balamuruga Pandi

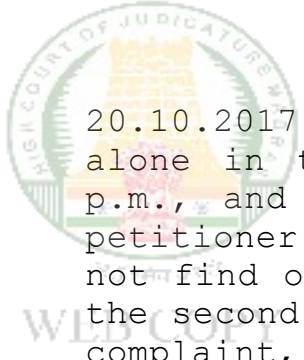
For R1 and R2 : Mr.C.Mayilvagana Rajendran
Additional Public Prosecutor

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 to produce the petitioner's husband namely, Murugeswaran, S/o.Manikandan, aged about 28 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. The petitioner married the detenu and they have one male child and the detenu is working at Mothilal Oswas Share Trading Company for past 5 months and the petitioner is working as a professor in Ambika Arts and Science College at Madurai. It is alleged that on



20.10.2017 she went to the college, at that time her husband was alone in the home. Thereafter, she returned back home at 05.15 p.m., and found that the detenu was not there. Thereafter, the petitioner searched her husband in various places, but she could not find out him. Hence, the petitioner preferred a complaint to the second respondent police on 22.10.2017. On receipt of the said complaint, the second respondent police registered a case in Crime No.1132 of 2017 for 'Man Missing'. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu, he has stated that since he was under depression because of non employment, he went out of the house and stayed at Thiruchendur. Moreover he expressed his willingness to go along with his wife/petitioner.

4. In view of the above, since the detenu is willing to go along with the petitioner, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner Police,
Madurai City, Madurai.
2. The Inspector of Police,
S.S.Colony Police Station,
Madurai City, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.D.Balamuruga Pandi , Advocate in SR No. 88006

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AE/KK/SAR1/07.12.2017/2P/5C