



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.12.2017

CORAM:

WEB COPY

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

H.C.P.[MD].No.1725 of 2017

Murugesan : Petitioner

Vs.

1.The State, rep by
The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body or corpus of the petitioner's wife, Manjula, D/o.Madasamy, Hindu, aged about 25 years, permanently residing at Pillayarcoil North Street, Krishnapuram, Kadaiyanallur Taluk, Tirunelveli District, before this Court and set her at liberty.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.C.Ramesh

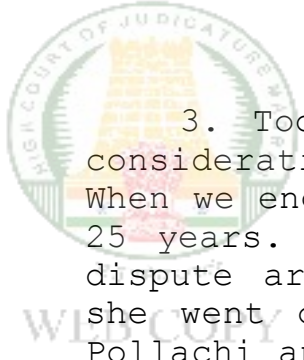
Additional Public Prosecutor

O R D E R

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

The present Habeas Corpus Petition has been filed by the husband of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the body or corpus of his wife, namely, Manjula, D/o.Madasamy, Hindu, aged about 25 years, before this Court and set her at liberty.

2. According to the petitioner, the marriage between the petitioner and his wife was solemnized two years back. His wife was found missing from 23.09.2017 onwards. In this regard, the petitioner made a complaint before the second respondent. On receipt of the said complaint, the second respondent police registered a case in Crime No.370 of 2017 for woman missing. Since the 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, she has stated that she is aged about 25 years. She has further stated that on account of matrimonial dispute arose between her and her husband, on her own volition, she went out of the home and stayed in her friends's house at Pollachi and at present, she is working at Kudavayur in a Spinning Mill. She has further stated that she is not in illegal custody and she is not willing to go along with the petitioner. We have enquired the petitioner also, who is present in Court.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

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

ORDER MADE IN
H.C.P. [MD] .No.1725 of 2017
18.12.2017

nb

JM/KK/SAR 1/05.01.2018/2P/4C