



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.[MD].No.1642 of 2016

Kaleeswari

: Petitioner

Vs.

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

2. The Inspector of Police,
Town Police Station,
Sivakasi,
Virudhunagar 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 secure the detenu and produce the body or person of the petitioner's husband, namely Muthumarieswaran, S/o.Sivasubramanian, aged about 27 years before this Court and set him at liberty.

For Petitioner : Mr.S.Prabhu

For Respondents : Mr.K.S.Duraipandian

Additional Public Prosecutor

O R D E R

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

The petitioner is the wife of the detenu - Muthumarieswaran, S/o.Sivasubramanian, aged about 27 years. She has filed the present Habeas Corpus Petition stating that her husband was found missing from 18.11.2016 onwards and in this regard, she made a complaint to the second respondent on 21.11.2016 and on receipt of the same, the second respondent registered a case in Crime No.811 of 2016 for 'man missing'. Since no effective steps were taken to trace out the detenu, she filed the present Habeas Corpus Petition.

2. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that originally the case was registered under the caption for 'man missing'. However, during investigation, it came to light that the petitioner's husband was murdered by one Duraipandi and others and hence, the case was altered into one under Sections 147, 302, 201 r/w 120-B of the Indian Penal Code and now, the case is under investigation.



3. In view of the submission made by the learned Additional Public Prosecutor, the Habeas Corpus Petition is closed as nothing survives for adjudication.

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Sd/-

Assistant Registrar(CO)

Sub Assistant Registrar

To

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

**Order made in
H.C.P. [MD].No.1642 of 2016
Dated: 23.01.2017**

SML

MKV-PM/03.02.2017/2p-4c