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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.03.2017
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Habeas Corpus Petition (MD) No.1660 of 2016

Arumugam

... Petitioner
Vs.

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

2. The Inspector of Police,
Perunkudi Police Station,
Madurai District.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying for issuance of a direction to the respondents to produce the body or person of the petitioner's 2nd wife Meenal, 56 years old Woman before this Court and set her at liberty.

For Petitioner	: Mr.R.Murugappan
For Respondents	: Mr.T.Mohan, Addl. Public Prosecutor

O R D E R

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

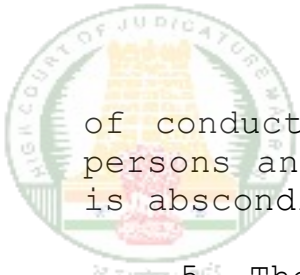
Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. This petition has been filed by the petitioner to produce the body of the second wife of the petitioner viz., Meenal aged about 56 years.

3. The petitioner's case is that his wife is missing and he reasonably suspect that the villagers have murdered her.

<https://hcservices.ecourts.gov.in/hcservices/>

4. From the counter affidavit filed by the respondent police, it is seen that the petitioner along with his wife under the guise



of conducting chit fund, has collected money from more than 100 persons and he alone has paid a sum of Rs.1,68,200/- and his wife is absconding from 12.06.2014.

5. The case of the respondent police is that to escape from the public, the petitioner states that as though his wife Meenal is found missing. Further, a case was registered against the petitioner and his wife have been set out in paragraphs - 5 to 8 of the counter affidavit. Further more, the counter affidavit clearly states that steps have been taken by the investigating agencies to trace the missing detainee and also the verification done by them in respect of the unidentified bodies in the age group of the detainee / accused and appropriate verification has been done with the Crime Records Bureau. Further, the Investigating Officer states that the petitioner's wife had an affairs with several persons including one Nataraj, the retired employee of Fenner India. It is further stated that the petitioner's wife along with the said person had introduced several schemes and collected huge amount of money by monthly schemes and has cheated the poor villagers and people living below the poverty line to the tune of Rs.60 lakhs. Further, the petitioner's wife is said to have absconded and now the petitioner is undergoing a drama as though she is missing. A copy of the counter affidavit has been given to the petitioner and he has not chosen to deny any of the allegations.

6. Thus, we find that it is not a case of illegal detention, but the case where the petitioner's wife is absconding or it is a case of drama or as stated by the investigating agency that it is a drama played by the petitioner along with his wife to escape from the clutches of the creditors. Further more, several criminal cases are pending against the petitioner as well as his wife and the process are on. Therefore, the Law will take its course. Hence, we find no grounds to entertain this Petition. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

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

2. The Inspector of Police,
Perunkudi Police Station, Madurai District.

+One cc to Mr.R.Murugappan, Advocate, SR.No.16441

akv

RL/4C/2P/MR/SAR2/10.4.2017

H.C.P. (MD) No.1660 of 2016