



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.02.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND
THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P. [MD] .No.1683 of 2016

Mariyammal : Petitioner

Vs.

- 1.The Superintendent of Police,
Virudhunagar District, Virudhunagar.
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
All Women Police Station,
Sivakasi, Virudhunagar District.
- 4.Jayalakshmi
- 5.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District, Crime No.758 of 2016. : Respondents

[R-5 impleaded vide order dated 21.12.2016 made in CrI.MP.(MD). No.112533 of 2016].

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the person or body of the detenu - Mr.Muthuraj, S/o.Late Arumugam, aged about 35 years, before this Court and set him at liberty.

For Petitioner : Mr.G.Marimuthu

For Respondents 1to 3&5 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For Respondent No.4 : Mr.M.Solaisamy

**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 wife of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the person or body of the detenu - Mr.Muthuraj, S/o.Late Arumugam, aged about 35 years, before this Court and set him at liberty.

2. In the affidavit filed in support of the Habeas Corpus Petition, it has been averred that the marriage between the petitioner and the detenu was solemnized on 05.06.2011. The husband of the petitioner was doing Chit Fund Business in Vadapatti Village and received amount from various persons. However, due to the loss in the business, he did not repay the said amount. In such circumstances, her husband was missing from 29.11.2016, onwards. In this regard, the petitioner made a complaint before the third respondent police. Since no effective steps were taken by the third 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. On enquiry, he has stated that due to some personal problem, he went to Chennai, where he has been working. He has further stated that he is not in illegal custody.

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(RTI)

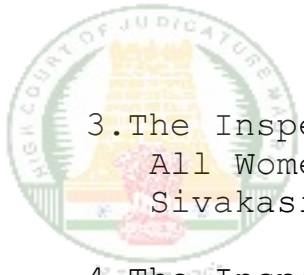
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Sub Assistant Registrar

To

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

2.The Deputy Superintendent of Police,
Virudhunagar District.



3.The Inspector of Police,
All Women Police Station,
Sivakasi, Virudhunagar District.

4.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.G.Marimuthu,Advocate Sr.No. 6536

+1cc to Mr.M.Solaisamy,Advocate Sr.No. 7047

JAM/16.02.17/SKN/ SAR 2/ 3p-8c

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