



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

CORAM:

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

H.C.P.(MD) No.1733 of 2016

C.Muthukumar

... Petitioner

-vs-

1.The Superintendent of Police
Madurai District, Madurai

2.The Inspector of Police
Austinpatti Police Station
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents herein to produce the body and person, the detinue, the petitioner's wife Manimegalai, D/o.Maruthu, aged about 27 years, before this Court and set her at liberty.

For Petitioner : No appearance

For Respondents : Mr.T.Mohan
Addl. Public Prosecutor

O R D E R

[Order of the Court by T.S.SIVAGNANAM, J.]

None appeared on behalf of the petitioner.

2. Heard Mr.T.Mohan, learned Additional Public Prosecutor appearing for the respondents.

3. The petitioner has filed this habeas corpus petition to direct the respondent Police to trace his wife, namely, Manimegalai, D/o.Maruthu, aged about 27 years, who is missing from 16.09.2015, produce her before this Court and set her at liberty.



4. It is seen that based on the complaint lodged by the petitioner, a "woman missing" case, in Crime No.364 of 2015, has been registered by the second respondent Police, on 17.09.2015.

5. The learned Additional Public Prosecutor submitted that the investigation reveals that the petitioner's wife / detenue eloped with one Rajkumar of Vadakarai and both of them are missing.

6. From the submissions of the learned Additional Public Prosecutor, it is clear that it is not a case of illegal detention, but it is a case of elopement. Therefore, no further direction can be issued in this habeas corpus petition.

7. Accordingly, this habeas corpus petition is closed. However, it is left open to the petitioner to workout his remedy before the appropriate Forum in the manner known to law.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To:

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

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

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

krk
RL/4C/2P/RSK/SKN/27.3.2017

H.C.P. (MD) No.1733 of 2016