



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

CORAM:

**THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI**

H.C.P. (MD) No.96 of 2018

V.Suresh : Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai,
Madurai District.

3.D.Sarth : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondent nos.1 and 2 to secure the detenu by name Muthulakshmi daughter of Ramachandran, aged 24 years from the illegal custody of the respondent no.3 and produce the body and person of the detenu before this Court within the time stipulated by this Court and set her at liberty.

For Petitioner : Mr.I.Sabeer Mohamed

For Respondents 1 and 2 : Mr.C.Ramesh
Additional Public Prosecutor

ORDER

[Order of the Court was made by **S.VIMALA, J**]

The petitioner, who is the husband of the detenu, has moved this petition for a direction to the Respondent Nos.1 and 2 to produce his wife, namely, Muthulakshmi, aged about 24 years before this Court and set her at liberty.

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

2.According to the petitioner, his wife was found missing from



05.09.2017. Therefore, he has sent a representation, dated 20.01.2018 to the first and second respondents requesting them to enquire the third respondent to find out the whereabouts of his wife.

3. The learned Additional Public Prosecutor representing the State would submit that on an earlier occasion, when a complaint was lodged by the petitioner herein, a case has been registered in Crime No.636 of 2017 for "woman missing" and thereafter the detenu was found in the company of the third respondent and subsequently, she was secured and the wife went with the petitioner herein, and thereafter this second incident had taken place.

3. From the history narrated by the learned Additional Public Prosecutor, the conclusion is inevitable that being a married woman, knowing fully well about the responsibility, she has chosen to be in the company of the third respondent and that possibility, this time also cannot be ruled out.

4. Under such circumstances, the result of enquiry to be conducted in respect of the complaint shall be communicated to the petitioner by the second respondent. With these observations, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Rmi/RR

AE/SKN RSK/SAR2/08.02.2018/2P/4C

Order made in
H.C.P. (MD) No.96 of 2017
Dated: 24.01.2018