



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.04.2019
CORAM:

**THE HONOURABLE MR. JUSTICE P.N. PRAKASH
AND
THE HONOURABLE MR. JUSTICE B. PUGALENDHI**

H.C.P. (MD) No. 256 of 2019

Kavitha : Petitioner

Vs.

State rep. By
1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
Koodalpudur Police Station,
Koodalpudur, Madurai

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the body of the petitioner's husband by name Sasikumar, son of Muthuvel, aged about 40 years old, before this Court and set him at liberty.

For Petitioner : Mr.P.Santhanakrishnan
For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor

ORDER

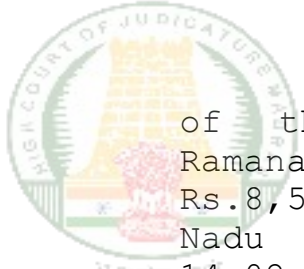
B. PUGALENDHI, J

It is the case of the petitioner that her husband Sasikumar went missing from 22.08.2018 and a case in Crime No.759/2018 for 'man missing' was registered by the police, despite which, no serious action was taken by the police to trace her husband and hence, the present Habeas Corpus Petition has been filed.

2.Mr.Sundaramanickam, the Inspector of Police, Koodalpudur Police Station, has filed a status report today, wherein, it is stated that Sasikumar suffered brain fever in the year 2015 and was in continuous treatment. That apart in Paragraph No.7 of the status report, it is stated as follows:

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

7.1 Humbly submit that the petitioner and her husband executed their property as a mortgage in favour



of the Tamil Nadu Industrial Coop Bank Ltd., Ramanathapuram Branch on 12.09.2014 for the loan of Rs.8,50,000/-. Under the said circumstances, the Tamil Nadu Industrial Coop Bank issued notice to her on 14.02.2019 stating that the property mortgaged to the bank, shall be brought up to auction after giving advertisement in the newspaper and subsequently given on 05.03.2019. Hence, the petitioner therein filed this Habeas Corpus Petition before this Hon'ble Court in order to dispose the above said property with the consent of the bank."

3. A special team has been formed to trace the missing person. In such view of the matter, it is apparent that Sasikumar is not in the illegal detention of anyone. Hence, this Habes Corpus Petition is closed with a direction to the respondent police to proceed with the investigation in Crime No.759/2018 and keep the petitioner informed of the developments, if any, from time to time.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Koodalpudur Police Station,
Koodalpudur, Madurai
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.P.SANTHANA KRISHNAN, Advocate (SR-61674[F] dated 23/04/2019)

Order made in
H.C.P. (MD) No.256 of 2019
22.04.2019

RR