



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
and
THE HONOURABLE MR. JUSTICE B. PUGALENDHI

H.C.P(MD) No. 658 of 2019

Thamilalagi

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.

2. The Inspector of Police,
Madhukoor Police Station,
Thanjavur District.

3. The Inspector of Police,
Taluk Police Station,
Pattukottai, Thanjavur District.

4. Saranya

5. Manickam

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the Respondents to produce the body and person of the detenu by name Palanivel son of Subbaiyan, aged about 29 years before this Hon'ble Court and set him at liberty.

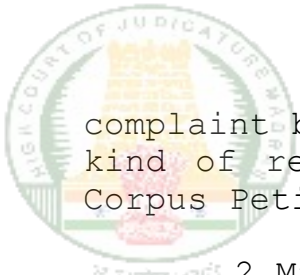
For Petitioner : Mr. R. Alagumani

For Respondents 1 to 3 : Mr. K. Dinesh Babu
Additional Public Prosecutor

ORDER

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The petitioner is the wife of the detenu viz., Palanivel S/o. Subbalayan, aged about 29 years and according to the petitioner she got married to the detenu on 02.11.2015 and out of the wedlock a female child viz., Ashika was born. The petitioner's husband initially employed in a gulf country and thereafter, he returned on 22.06.2019. On 02.07.2019, the detenu went out on the pretext of going to Pattukottai and thereafter, he did not return. The efforts made to trace the detenu failed and therefore, she has also lodged a



complaint before the second respondent, which also did not evoke any kind of response and hence, she came forward to file this Habeas Corpus Petition.

2.Mr.K.Dinesh Babu, learned Additional Government Pleader accepts notice on behalf of the second respondent and on instruction would submit that based on the complaint of the petitioner a case has been registered in Crime No.117 of 2019 on 18.07.2019 for "man missing" and the investigation is going on.

3.This Court, in view of the above submissions, directs the second respondent to conduct investigation in Crime No.117 of 2019 in a speedy manner and as and when the detenu is traced he shall be produced before the concerned Judicial Magistrate Court for passing appropriate orders and before producing the detenu before the Court of Judicial Magistrate, the second respondent shall inform the same to the petitioner.

4.This Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-)

To

1.The Superintendent of Police,
Office of the Superintendent of Police, Thanjavur District.

2.The Inspector of Police,
Madhukoor Police Station, Thanjavur District.

3.The Inspector of Police,
Taluk Police Station, Pattukottai, Thanjavur District.

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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-77382[F] dated 24/07/2019)

H.C.P(MD)No.658 of 2019
22.07.2019

sj
ES/31.07.2019/2P/6C