



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 29.07.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 699 OF 2019

Rajeshwaran

... Petitioner

- Vs -

1. The Superintendent

O/o The Superintendent of Police
Ramanathapuram District.

2. The Inspector of Police

Keenikarai Police Station
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents to produce the body and person of the petitioner's wife, viz., Muthu Maheswari, aged 24 years, before this Hon'ble Court and set her at liberty.

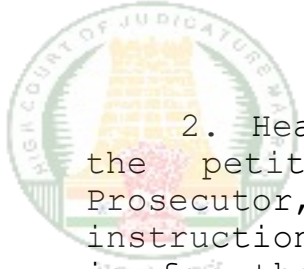
For Petitioner : Mr. R.Venkatesan

For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the husband of the detinue, viz., Muthu Maheswari, aged about 24 years. It is averred by the petitioner that he is eking out his livelihood as a mason. The marriage between the petitioner and the detinue was solemnized on 2.3.2015. The petitioner further avers that he was previously employed in Gulf country and after marriage, returned back to his motherland and his wife/the detinue, has completed B.A. (English Literature). The grievance expressed by the petitioner is that from 30.6.19 his wife is missing with 45 sovereigns of jewels and he lodged a complaint in this regard with the 2nd respondent, which led to the registration of a case in crime No.205/2019 for 'Woman Missing'. In spite of registration of the case, no effective steps have been taken by the respondents and the petitioner, apprehending the safety, well being and whereabouts of his wife/the detinue, has come forward to file the present petition.



2. Heard the submission of the learned counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice on behalf of the respondents and on instructions, submit that it is a case of matrimonial discord and it is for the second time the wife of the petitioner has left the company of the petitioner and that her location, for the present, could not be traced for the reason that she has left the mobile phones with her husband and that all out efforts are being made to trace the detainee.

3. This Court has carefully considered the rival submissions and perused the materials available on record.

4. In the light of the above facts and circumstances, this Court directs the 2nd respondent to conduct proper and speedy investigation in respect of the case in Crime No.205/2019 and as and when the detainee is traced, after keeping the petitioner informed, shall produce the detainee before the Court of the learned Judicial Magistrate No.2, Ramanathapuram, for passing appropriate orders as to her custody. The 2nd respondent shall also keep the petitioner periodically informed of the progress made in the investigation.

5. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent
O/o The Superintendent of Police
Ramanathapuram District.
2. The Inspector of Police
Keenikarai Police Station
Ramanathapuram District.
3. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

H.C.P. (MD) NO. 699 OF 2019
29.07.2019