



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.138 of 2021

Shanthi

... Petitioner/Wife of the detenu

-vs-

1.The State of Tamilnadu,
rep. by the Commissioner of Police,
Tirunelveli City,
Tirunelveli District.

2.The Inspector of Police,
Pettai Police Station,
Pettai,
Tirunelveli District.

... 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 Respondents 1 and 2 herein to produce the body or corpus of the detenu viz., Karuppasamy S/o. Sathurappa Pillai, aged about 59 years before this Hon'ble Court.

For Petitioner : Mr.P.M.Visnuvarthanan

For Respondents : Mr.S.Ravi

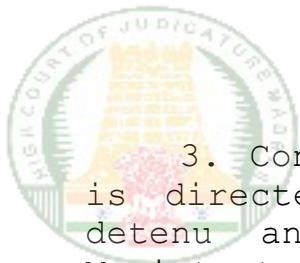
Standing counsel for the State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

This Habeas Corpus Petition has been filed by the wife of the detenu, namely, Karuppasamy, aged about 59 years, alleging that he is found missing from 11.01.2021 and though a case has been registered by the second respondent in Crime No.30 of 2020, for man missing, based on the complaint of the petitioner, no action was taken to trace him.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing counsel appearing for the State, on instructions submitted that the investigation reveals, the detenu was running a finance company and suffered a loss and in order to escape from the creditors, he is absconding and he is not illegally detained



3. Considering the above facts, the second respondent police is directed to proceed with the investigation and secure the detenu and produce him before the concerned jurisdictional Magistrate. On such production, the concerned jurisdictional Magistrate is directed to pass suitable orders, regarding the custody of the detenu, in accordance with law. The concerned Deputy Superintendent of Police is directed to monitor the investigation.

4. With the above directions, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.

2.The Inspector of Police,
Pettai Police Station,
Pettai,Tirunelveli District.

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

Copy to:

The Deputy Superintendent of Police,
Thirunelveli city, Thirunelveli Dist.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-25572[F] dated 06/08/2021)

ORDER MADE IN

H.C.P. (MD) No.138 of 2021

05.08.2021