



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.08.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

H.C.P. (MD) No.877 of 2021

R.Muthuselvi ... Petitioner

-vs-

1.The District Collector,
Madurai District,
Madurai.

2.The Authorized Officer,
53rd Battalion, SSB,
Simlabari - Falakatta,
West Bengal - 735 211
Govt. of India

3.The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the detenu named R.Rajkumar, son of K.Ramu, aged about 29 years, before this Court and set him at liberty.

For Petitioner : Mr.R.Sevugaraja

For R1 & R3 : Mr.S.Ravi

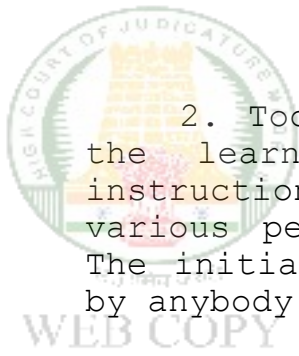
Standing counsel for the State

For R2 : No Appearance

O R D E R

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

Alleging that the petitioner's husband, by name R.Rajkumar, aged about 29 years, is found missing from 01.09.2020, the petitioner has given a complaint before the third respondent police. Since, no action has been taken by the third respondent to secure the detenu, the present Habeas Corpus Petition has been filed.



2. Today, when the matter is taken up for hearing, Mr.S.Ravi, the learned Standing Counsel appearing for R1 and R3, on instructions, would submit that the detenu borrowed money from various persons and unable to repay the loan, he is absconding. The initial investigation shows that he was not illegally detained by anybody.

3. Considering the submissions, sine the detenu is found missing more than ten months, the third respondent police is directed to proceed with the investigation and secure the detenu as early as possible and produce before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders regarding the custody of the detenu, in accordance with law.

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

Sd/-

Assistant Registrar (CS III)

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/ /2021

Sub Assistant Registrar(CS)

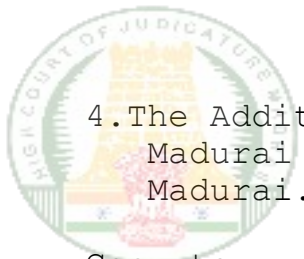
MPK

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 District Collector,
Madurai District,
Madurai.
- 2.The Authorized Officer,
53rd Battalion, SSB,
Simlabari - Falakatta,
West Bengal - 735 211
Govt. of India
- 3.The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam.



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

Copy to :
The Judicial Magistrate,
Thirumangalam.
Madurai District.

H.C.P. (MD) No.877 of 2021
13.08.2021

MGJ(24.08.2021) 3P 6C