



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM:

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

H.C.P. (MD)No.1364 of 2021

D.Sunil Kumar

...Petitioner/Husband of detenue

vs.

1.The Superintendent of Police,
Kanyakumari District, at Nagercoil.

2.The Inspector of Police,
Kollancode Police Station,
Kanyakumari District.

3.Rethinam

...Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, seeking for a direction to the official respondents to produce the corpus or body of the petitioner's wife namely Selin Mary, aged 25 years, before this Court by rescuing her from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.Ananth C Rajesh

For R1 & R2 : Mr.S. Ravi

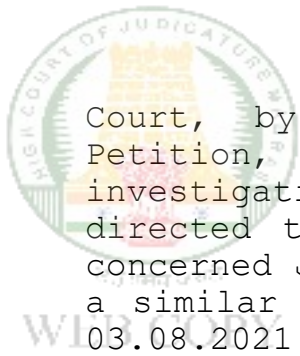
Additional Public Prosecutor

O R D E R

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

Alleging that the petitioner's wife, by name, Seline Mary, aged about 25 years, found missing, the petitioner has given a complaint before the 2nd respondent Police. Since no action has been taken to secure the detenue, the present Habeas Corpus Petition has been filed.

2. Mr.S.Ravi, the learned Additional Public Prosecutor appearing for the State, on instructions, would submit that earlier, the sister of the detenue one Rosemary has filed Habeas Corpus Petition in H.C.P(MD)No.419 of 2021 and this



Court, by order dated 03.08.2021 disposed the Habeas Corpus Petition, directing the 2nd respondent Police to conduct investigation and secure the detainee and on securing the detainee, directed the respondent police to produce the detainee before the concerned Judicial Magistrate. Now, once again the husband came with a similar prayer. He has also produced a copy of the order, dated 03.08.2021.

3. Considering the fact that already this Court passed an order directing the 2nd respondent to secure the detainee and produce before the concerned Judicial Magistrate, no further order is required in this Habeas Corpus Petition. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /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 Superintendent of Police,
Kanyakumari District, at Nagercoil.
- 2.The Inspector of Police,
Kollancode Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NA (CO)
KB(20.10.2021) 2P 4C