



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE MR.JUSTICE DR.G.JAYACHANDRAN

H.C.P. (MD) No.1054 of 2020

Muthulakshmi

... Petitioner/Wife of Detenue

-vs-

1.The Superintendent of Police,
Kanniyakumari District.

2.The Inspector of Police,
Vadaseri Police Station,
Kanniyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the petitioner's husband Lakshmanan, S/o.Rathinavel, aged about 40 years before this Honourable Court and set him at liberty.

For Petitioner : Mr.R.Rajmohan

For Respondents : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

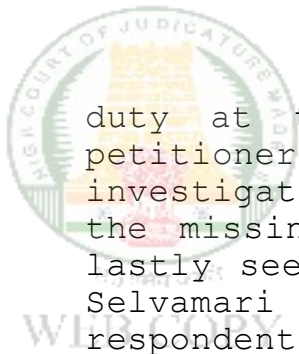
and

DR.G. JAYACHANDRAN, J.

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. It is where the wife has moved this Court to issue a writ of Habeas Corpus on the premise that her husband was working as IB Warden in Tamil Nadu Electricity Board, when he missing on 29.09.2020, till he is not traceable and complaint given to the police went in vain.

3. In the counter affidavit, the respondent police has stated that the husband of the petitioner was transferred from Papanasam to Lower Camp, Kanniyakumari on 29.09.2020, but he did not join



duty at the transferred place. The complaint given by the petitioner was registered in Cr.No.591 of 2020 and taken up for investigation by the Vadasery Police Station. The call details of the missing person were collected and it was found that he was lastly seen by one Balaganesh, who dropped him near the house of Selvamari @ Dhanam, who is the aunt of the missing person. The respondent police has taken all efforts to trace the missing person by placing advertisement to All India Radio, News Paper and TV Channels.

4. From the investigation, it is found that the missing person was addict of alcoholic and was not regular in duty and least care for domestic life. Even after joining at the new place ie., Lower Camp, Kanniyakumari District, as a punishment transfer, he was irregular in attending the duty and he was complaining about problem in his family as a reason for his irregular attendants. The police has recorded the statement of Rajendran, Jegatheesh Kumar and Balakrishnan were known to the missing persons and from the statements obtained during investigation reveals that on 17.10.2020 the missing person has borrowed loan of Rs.15,000/- from one Rajendran informing him that he has to join duty at Lower Camp.

5. Mr.Balakrishnan has informed that the missing persons asking him to drop near his aunt's house. Accordingly, from Tirunelveli Bus Stand he dropped the missing person near Selvamari @ Dhanam's house.

6. The police has stated in the counter that they are taking all efforts and even deputed the Special Sub Inspector of Police by name Mr.Rajeshwaran and Head Constable Mr.Ramesh to find out the missing person. Further, till date, they are not able to get and clue.

7. It is submitted by the learned Additional Public Prosecutor that as and when any clue about the missing person is obtained, the same will be informed to the petitioner and also further investigation will be done based on the clue collected.

8. In view of the above, this habeas corpus petition is closed. The respondent police shall continue the investigation and informed the development to the petitioner herein, if they obtained any proof about the missing person.

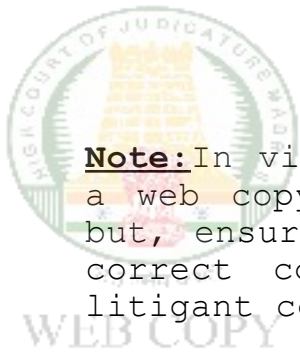
Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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,
Kanniyakumari District.
- 2.The Inspector of Police,
Vadaseri Police Station,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1054 of 2020

08.11.2021

PS (CO)

RS/NS (23.11.2021) 3P 4C