



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1140 of 2020

WEB COPY

Muthukoodalingam @ Selvam

... Petitioner

-VS-

1.The State Represented by it's
The Superintendent of Police,
O/o.the Superintendent of Police,
Theni District - 625 531.

2.The Deputy Superintendent of Police,
Sub-Division, Andipatti,
Andipatti,
Theni District - 625 512.

3.The Inspector of Police,
Andipatti Police Station,
Andipatti Taluk,
Theni District - 625 512,
(Crime No.958/2020)

... 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 1 to 3 to produce the body of the petitioner's wife namely Saritha, Wife of Muthukoodalingam, aged about 38 years old before this Court and set her at liberty.

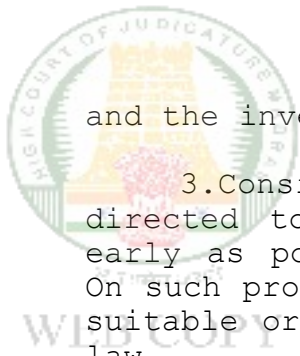
For Petitioner	:	Mr.R.Karunanidhi
For Respondents	:	Mr.S.Ravi
		Standing counsel for the State

O R D E R

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

The petitioner is the husband of the detinue and alleging that the petitioner's wife by name Saritha, aged about 38 years, is found missing from 02.11.2020, the petitioner is said to have given a complaint before the third respondent police. Even though an F.I.R has been registered in Crime No.958 of 2020, so far no action has been taken by the third respondent police to secure the detinue. Hence, the present Habeas Corpus Petition.

2.When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions would submit that the investigation reveals that the detinue left the matrimonial home and eloped with one Muthupandi and based on the complaint given by the petitioner, a case in Crime No.958 of 2020 has already been registered



and the investigation is also in progress.

3.Considering the above facts, the third respondent police is directed to proceed with the investigation and secure the detainee 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 detainee, in accordance with law.

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

Sd/-

Assistant Registrar (CS I)

// 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,
O/o.the Superintendent of Police,
Theni District - 625 531.
- 2.The Deputy Superintendent of Police,
Sub-Division, Andipatti,
Andipatti,
Theni District - 625 512.
- 3.The Inspector of Police,
Andipatti Police Station,
Andipatti Taluk,
Theni District - 625 512,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1140 of 2020
04.08.2020

SSS

RS (11.08.2021) 2P-5C