



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.416 of 2022

S.Sharmila

... Petitioner/wife of the detenu
Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Thirukkokarnam Police Station,
Thirukkokarnam,
Pudukkottai
District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's husband namely Rajendran, S/o.Ganesan, male aged about 33 years, before this Honourable Court and set him at liberty.

For Petitioner	: Mr.R.Shankar Ganesh
For R-1 & R-2	: Mr.T.Senthil Kumar, Additional Public Prosecutor

O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner who is the wife of the detenu, seeks production of the person of her husband namely Rajendran, S/o.Ganesan, male aged about 33 years.

2. According to the petitioner, her husband went missing on 10.02.2022. She lodged a complaint on 15.02.2022 and the police have not taken any action.

3. Mr.T.Senthil Kumar, learned Additional Public Prosecutor, upon instructions, would submit that the husband of the petitioner had eloped with another lady by name Bhagavathi and one Rajendran, S/o.Moorthy. The learned Additional Public Prosecutor has lodged a complaint stating that his wife namely



Bhagavathi went missing. According to the learned Additional Public Prosecutor, the husband of the petitioner had eloped with the said Bhagavathi.

4. Considering the fact that the detinue is a major and no case of illegal detention is made out, the Habeas Corpus Petition is dismissed. The respondent police is however directed to continue the investigation.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

pm

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

H.C.P. (MD) No.416 of 2022
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PA(12.04.2022) 2P 4C