



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) No.761 of 2022

WEB COPY

G.Manikandan ... Petitioner/Husband of the Detenue

-vs-

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.

3. Guna ... 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 wife/detenue by name Saranya D/o. Amirthapandi, aged about 22 years, before this Court and set her at liberty.

For Petitioner : Mr.B.Mahendrarajan
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

O R D E R

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the respondents 1 and 2 to produce the body or person of the petitioner's wife / detenue viz., Saranya, aged about 22 years, before this Court and set her at liberty.

2. It is the case of the petitioner that his wife Saranya, aged about 22 years, went missing from 26.04.2022 and that the police are not taking effective steps to secure her. Hence, the petitioner has filed the present habeas corpus petition with the above prayer.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Avaniyapuram Police Station Crime No.292 of 2022 has been registered on 10.05.2022 for 'woman missing' and during the course of investigation, it came to light that the petitioner's wife has eloped with one Guna and she is now in Chennai.



4. In such view of the matter, it cannot be stated that the petitioner's wife is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus.

5. Hence, this habeas corpus petition stands closed. However, we direct the Assistant Commissioner of Police, Avaniyapuram, to supervise the investigation in Avaniyapuram Police Station Crime No.292 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Saranya, aged about 22 years, is secured, she shall be produced before the Judicial Magistrate Court No.VI, Madurai, under intimation to the petitioner and learned Judicial Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Sd/-

Assistant Registrar(CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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To:

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
3. The Assistant Commissioner of Police,
Avaniyapuram, Madurai.
4. The Judicial Magistrate No - VI,
Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.761 of 2022
06.06.2022

SG(CO)

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