



H.C.P.(MD)No.871 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD)No.871 of 2022

Muthu

: Petitioner

Vs.

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

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

3.Murali

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the
Constitution of India, praying to issue a Writ of Habeas Corpus,



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directing the respondents 1 and 2 to produce body or person of the petitioner's wife detenu by name Muthu, aged about 32 years under the illegal custody of the third respondent before this Court and set her at liberty.

For Petitioner : Mr.K.Kannan

For Respondents 1&2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

[Order of the Court was made by R.VIJAYAKUMAR, J.]

It is the case of the petitioner that his wife Muthu aged about 32 years went missing from 05.04.2022 and that the police are not taking effective steps to secure him. Hence, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

2.Heard Mr.K.Kannan, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 & 2.

3.Today, Mr.A.Muthumani [Mobile No.9498185481] Inspector of Police, Silaiman Police Station, Madurai District, is present before this Court.



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4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a petition enquiry in Silaiman Police Station in C.S.R.No.181/2022 was registered and during the course of enquiry it came to light that the petitioner's wife had eloped with one Murali [third respondent herein].

5.In such view of the matter, it cannot be stated that the petitioner's wife is in the illegal custody of anyone for the issuance of a Writ of Habeas Corpus.

6.Accordingly, this Habeas Corpus Petition is closed.

[P.N.P.J.] & [R.V.J.]

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Index : Yes/No

Internet : Yes/No

MR



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To

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Madurai.

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.N.PRAKASH, J.
and
R.VIJAYAKUMAR, J.

MR

ORDER MADE IN
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