



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.[MD]No.937 of 2022

WEB COPY

R.Suthanthira Pandi : Petitioner/ Son of Detenu

Vs.

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

2.The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the person or body of detainee namely Nagavalli, W/o. Ramachandran, aged 55 years before this Court and set her liberty.

For Petitioner : Mr.R.Anand

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that the petitioner's mother Nagavalli, aged about 55 years went missing from 01.06.2022 and that the police are not taking effective steps to secure her, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

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

3.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Parthibanoor Police Station, in Crime No.105 of 2022 has been registered on 02.06.2022 for 'woman missing' and during the course of investigation, it came to light that on account of some domestic quarrel with her husband, Nagavalli left home and she was last



located near Madappuram Kaliyamman Temple in Sivagangai.

4. In such view of the matter, it cannot be stated that Nagavalli is in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Paramakudi, to supervise the investigation that is being conducted by the Inspector of Police, Parthibanoor Police Station in Crime No.105 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Nagavalli, aged about 55 years, is secured, she shall be produced before the learned Judicial Magistrate, Paramakudi, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

5. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

MR

To:

1. The Judicial Magistrate,
Paramakudi,
Ramanathapuram District.
2. The Superintendent of Police,
Ramanathapuram
Ramanathapuram District.
3. The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.
4. The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

H.C.P. [MD] No. 937 of 2022

17.06.2022

_RD(28.06.2022) 2P 6C