



H.C.P.(MD)No.1074 of 2022

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.1074 of 2022

Athilingam

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

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

[Crime No.108 of 2022]

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body or person of the petitioner's wife / detenu namely Poomari, wife of Athilingam aged about 24 years before this Court and set her at liberty.



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For Petitioner : Ms.A.S.Rajeswari
For Respondents : 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 Poomari aged about 24 years went missing from 12.06.2022 after a quarrel, leaving behind her eight [8] months old son with him and thereafter the whereabouts of his wife is not known to him.

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

3.Today, Mr.R.Anumanthan [Mobile No.9498105096] Special Sub-Inspector of Police, Perungudi Police Station, Madurai District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Perungudi Police Station, Madurai in Crime No.108 of 2022 was



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registered on 13.06.2022 for 'women missing'. During the course of investigation, Poomari was secured by the police and is now produced before us.

5. When enquired, Poomari stated that she is not in the illegal custody of anyone and that she is living in the house of her friend Mareeswari in Koodakovil, Mariammal Kovil Street, Madurai. She further stated that she is not willing to go with her husband. Since we find that Poomari is not in the illegal custody of anyone, no Writ of Habeas Corpus can be issued. Now that Poomari has been produced before us, the police may close the FIR in Crime No.108 of 2022.

6. Recording the same, this Habeas Corpus Petition is closed.

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

01.07.2022

Index : Yes/No

Internet : Yes/No

MR



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2.The Inspector of Police,
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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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