



H.C.P.(MD) No.1136 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

H.C.P.(MD) No.1136 of 2022

Marimuthu

... Petitioner

-VS-

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

2.The Inspector of Police,
Vellanur Police Station,
Pudukottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to produce the person or body of the petitioner's wife namely Mallika W/o.Marimuthu, aged about 31 years and produce before this Court and set her at liberty.



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For Petitioner : Mr.K.Sivabalan

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

ORDER

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

This habeas corpus petition has been filed seeking to direct the second respondent to produce the body or person of the petitioner's wife, namely, Mallika wife of Marimuthu, aged about 31 years, before this Court and set her at liberty.

2. It is the case of the petitioner that her wife Mallika, aged about 31 years, went missing from 16.05.2022, leaving behind their daughter Keerthana and that the police are not taking effective steps to secure her. Hence, the present habeas corpus petition with the above prayer.

3. On instructions, learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Vellanur Police Station Crime No.101 of 2022 has been registered on 26.05.2022 for 'woman-missing' and during the course of investigation, the police suspect that the petitioner's wife has eloped with one Shankar, who was working with the petitioner.



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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 Deputy Superintendent of Police, Pudukottai Subdivision, to supervise the investigation in Vellanur Police Station Crime No.101 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenue Mallika, aged about 31 years, is secured, she shall be produced before the Judicial Magistrate Court No.1, Pudukottai, under intimation to the petitioner and learned Judicial Magistrate shall pass appropriate orders with regard to custody in accordance with law.

[P.N.P., J.] [R.H., J.]
15.07.2022

Index : Yes / No
Internet : Yes / No
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P.N.PRAKASH, J.
and
R.HEMALATHA, J.

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To:

- 1.The Superintendent of Police,
Pudukottai District, Pudukottai.
- 2.The Deputy Superintendent of Police,
Pudukottai Subdivision, Pudukottai.
- 3.The Inspector of Police,
Vellanur Police Station,
Pudukottai District.
- 4.The Judicial Magistrate No.1,
Pudukottai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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