



H.C.P.(MD) No.1335 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD) No.1335 of 2022

R.Ameen

... Petitioner

-VS-

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

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the person or body of the petitioner's wife namely Jariyathul Suberiya W/o.Ameen, aged about 25 years and produce before this Court and set her at liberty.

For Petitioner : Mr.B.Arun

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



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ORDER

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

This habeas corpus petition has been filed seeking to direct the respondents to produce the body or person of the petitioner's wife, namely, Jariyathul Suberiya wife of Ameen, aged about 25 years, before this Court and set her at liberty.

2. It is the case of the petitioner that her wife Jariyathul Suberiya, aged about 25 years, went missing from 05.07.2022, leaving behind their two sons and that the police are not taking effective steps to secure her. Hence, the present habeas corpus petition with the above prayer.

3. Today, Mr.Kumar, Sub-Inspector of Police, Bazaar Police Station, is present before this Court.

4. On instructions, learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Bazaar Police Station Crime No.250 of 2022 has been registered on 07.07.2022 for 'woman-missing' and during the course of investigation, the police suspect that the petitioner's wife has eloped



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with one Napoleon, who is also a married person.

5. 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.

6. Hence, this habeas corpus petition stands closed. However, we direct the Deputy Superintendent of Police, Ramnad Subdivision, to supervise the investigation in Bazaar Police Station Crime No.250 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Jariyathul Suberiya, aged about 25 years, is secured, she shall be produced before the Judicial Magistrate Court No.1, Ramanathapuram, 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.V., J.]
12.08.2022

Index : Yes / No
Internet : Yes / No
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and
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To:

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

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