



HCP(MD)No.1479 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.09.2022

CORAM

THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH

H.C.P.(MD)No.1479 of 2022

Jothimani

... Petitioner /Husband of the Detenue

/Vs./

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

2.The Inspector of Police,
Palamedu Police Station,
Madurai 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 petitioners wife namely, Kavitha @ Karpagam aged about 35 years of the petitioner before this Court and set her at liberty.

For Petitioner : Mr.G.Karuppasamy Pandian

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor



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ORDER

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

This petition has been filed by the husband to produce the body of his wife, Kavitha, who was aged about 35 years.

2. The learned Additional Public Prosecutor, on instructions, submitted that the wife of the petitioner developed illicit relationship with one Madurai Veeran and she had eloped with him in the year 2018 itself. The learned Additional Public Prosecutor further submitted that the said Madurai Veeran was done to death and the petitioner is one of the accused persons in that case. It is now pending in S.C.No.6 of 2021 before the Principal District Judge, Madurai. The learned Additional Public Prosecutor further submitted that the petitioner had sent a complaint through post in the year 2022 and the same is being enquired.

3. The learned counsel appearing for the petitioner submitted that the petitioner is taking efforts to find the whereabouts of the detenu only on the



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persistence of the two minor children. The learned counsel sought for a direction to the respondent police to secure the wife of the petitioner.

4. In the considered view of this Court, the wife of the petitioner has gone missing in the year 2018 itself. The complaint came to be filed in the year 2022 and the police is enquiring into the said complaint. It is therefore appropriate to direct the police to enquire into the complaint and inform the petitioner about further developments.

5. This Habeas Corpus Petition is disposed of accordingly.

(J.N.B.,J.) (N.A.V.,J.)
23.09.2022

Index : Yes/No
Internet : Yes
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To:

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Inspector of Police,
Palamedu Police Station, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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