



HCP(MD)No.1624 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.09.2022

CORAM

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

H.C.P.(MD)No.1624 of 2022

N.Raja

... Petitioner /Husband of the Detenue

/Vs./

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

2.The Sub-Inspector of Police,
Thiruchendur Police Station,
Thoothukudi 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 body of person of the petitioner's wife namely Nirmala (Detenu), C/o.Ramsamy, aged about 28 yearse, before this Court and set her at liberty.

For Petitioner : Mr.M.Suresh

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor



HCP(MD)No.1624 of 2022

ORDER

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J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

This petition has been filed by the husband for a direction to produce the body of his wife, who went missing from 07.10.2021 onwards.

2. The learned Additional Public Prosecutor, on instructions, submitted that for both the petitioner and the detenu, this was the second marriage and both of them had visited the southern districts on pilgrimage. When the petitioner and the detenu stayed in a lodge at Thiruchendur, the detenu had removed her Thali and moved away from the lodge. Accordingly, from 07.10.2021 onwards, she went missing. Based on the complaint given by the petitioner, a woman missing FIR has been registered in Crime No.363 of 2021 and the same is pending investigation.

3. In the considered view of this Court, it would suffice if a direction is given to the second respondent police to proceed further with the



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investigation in line with the guidelines issued by this Court in **K.Sukumari**

Vs. The Superintendent of Police, Virudhunagar District, Virudhunagar, reported in **2018 (2) - L.W. (CrI) – 636**. All efforts shall be taken to secure the detenu.

3. This Habeas Corpus Petition is disposed of with the above directions.

(J.N.B.,J.) (N.A.V.,J.)
29.09.2022

Index : Yes/No
Internet : Yes
sm

To:

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



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