



H.C.P.(MD)No.1764 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM:

THE HONOURABLE MRS.JUSTICE J. NISHA BANU

and

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

H.C.P.(MD)No.1764 of 2022

Sowmiya

.. Petitioner

Vs.

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

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Habeas Corpus to direct the respondent herein to produce the

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body or person of the petitioner's husband namely, Muthuselvam S/o.Dharmalingam, aged about 42 years, before this Court and set him at liberty.

For Petitioner : Mr.A.Prakash
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

J.NISHA BANU, J.
and
N.ANAND VENKATESH, J.

This Habeas Corpus Petition has been filed by the wife of the detenu to secure the body of her husband and to produce before this Court.

2. The learned Additional Public Prosecutor, on instructions, submitted that the husband of the petitioner was running a super market and he had sustained loss. The husband of the petitioner went missing from October, 2020 onwards and a complaint was given by the petitioner, based



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on which, a "man missing" FIR was registered in Crime No.982 of 2020 on 13.10.2020. The learned Additional Public Prosecutor further submitted that all steps are being taken to find the whereabouts of the detenu.

3. The learned counsel for the petitioner submitted that the petitioner is undergoing hardship since she has to take care of two children and she does not have any other support.

4. In the considered view of this Court, already a complaint has been given by the petitioner and "man missing" FIR is pending before the second respondent police. In view of the same, there shall be a direction to the second respondent police to proceed further with the investigation in accordance with the guidelines issued by this Court in ***K. Sukumari Vs. The Superintendent of Police, Virudhunagar District, Virudhunagar***, reported in **2018(2) - L.W. (Crl) - 636**. This Court expects the respondent police to expedite the investigation and find the whereabouts of the detenu as early as possible.



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

(J.N.B.,J.) (N.A.V.,J.)
27.10.2022

Index : Yes/No
Internet : Yes
rm



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- 2.The Inspector of Police,
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Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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