



HCP(MD)No.1794 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.11.2022

CORAM

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

H.C.P.(MD)No.1794 of 2022

Jeganathan

... Petitioner /Brother of the Detenue

/Vs./

1.The Superintendent of Police,
Kanyakumari District,
At Nagarkovil.

2.The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram,
Kanyakumari District.

3.Rajasekar

4.Ravendren

5.Raji

6.Thangaswamy

...Respondents



HCP(MD)No.1794 of 2022

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the person or body of the petitioner's sister namely Anithabaaai, D/o.Thangappan, aged about 42 years and produce before this Court and set her at liberty.

For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor (R1&R2)

ORDER

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

This petition has been filed by the brother of the detenu to produce the body of the detenu named Anithabaaai, who went missing 18 years ago.

2. The learned Additional Public Prosecutor, on instructions, submitted that even though the detenu went missing 18 years back, a complaint was given to the second respondent only recently. He further



HCP(MD)No.1794 of 2022

submitted that a woman missing FIR will be registered and the same will be dealt with in accordance with law.

3. Recording the submission of the learned Additional Public Prosecutor, there shall be a direction to the second respondent police to register a woman missing FIR and proceed further 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. (CrI) – 636**.

4. This Habeas Corpus Petition is disposed of. No costs.

(J.N.B.,J.) (N.A.V.,J.)
01.11.2022

Index : Yes/No
Internet : Yes
sm



WEB COPY



HCP(MD)No.1794 of 2022

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

sm

To:

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

Order made in
H.C.P.(MD)No.1794 of 2022

Dated
01.11.2022