



HCP(MD)No.1823 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2022

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

H.C.P.(MD)No.1823 of 2022

Madasamy

.. Petitioner/Husband of
Detenu

Vs.

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

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

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents to produce the petitioner's wife namely Rajeswari aged about 35 years old or her body before this Court and set her at liberty based on the petitioner's complaint dated 02.11.2022.

For Petitioner :Mr.S.Sivaprakash
For Respondents :Mr.A.Thiruvadikumar,
Additional Public Prosecutor



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ORDER

WEB COPY (Order of the Court was made by **N. ANAND VENKATESH,J.**)

M.S.RAMESH,J.
and
N. ANAND VENKATESH,J.

This Habeas Corpus Petition has been filed by the husband to secure his wife, who is said to be missing from 19.10.2022 onwards.

2.The learned Additional Public Prosecutor, on instructions, submitted that the detenu went away from the matrimonial home along with the physically challenged child and the child was handed over to the uncle and thereafter the detenu went missing. Based on the complaint given by the petitioner, C.S.R has been registered and a "woman missing" case will be registered very soon and the investigation will be conducted in order to find the whereabouts of the detenu. It was further submitted that the child has been handed over to the petitioner.

3.In the considered view of this Court, it will suffice if a direction is given to the second respondent to register a woman missing FIR and to



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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.

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

(M.S.R.,J.) (N.A.V.,J.)
15.11.2022

Index : Yes/No

Internet : Yes

Ns

To

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

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.S.RAMESH,J.
and
N. ANAND VENKATESH,J.
Ns

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