



HCP(MD)No.114 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.09.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

H.C.P.(MD)No.114 of 2023

Gangatharan

.. Petitioner / Brother of
the Detenue

Vs.

- 1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone,
Madurai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 4.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.

5.Kumar

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the respondents 1 to 4 to produce the body or person of the petitioner's sister by name Lakshmi, daughter of Muthuveeran, aged about 48 years before this Court and set her at liberty.

For Petitioner : Mr.R.Alagumani

For R-1 to R-4 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

When the petitioner's sister, namely, Lakshmi, aged about 48 years, had gone missing, the petitioner's mother had given a complaint on 17.12.2021 before the fourth respondent police, which was registered in Crime No.1155/2021 under the caption “woman missing”. Since the petitioner's sister could not be traced within a reasonable time, he has filed the present Habeas Corpus Petition.

2. Pending the Habeas Corpus Petition, the learned Additional Public Prosecutor submitted that an unidentified body was found and suspecting



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the same to be that of the petitioner's sister, it was subjected to DNA test before the Regional Forensic Science Laboratory, Madurai.

3. Today, when the matter was called, the learned Additional Public Prosecutor produced a copy of the report of the Regional Forensic Science Laboratory, Madurai dated 20.09.2023, stating that on analysis, it is found that the bone piece belonged to a male individual and therefore, the unidentified body cannot be that of the petitioner's sister. With such a statement, the learned Additional Public Prosecutor sought further time to complete the investigation.

4. Since the fourth respondent had registered the petitioner's complaint and are in the process of investigating, we deem it fit that the fourth respondent could be directed to expedite the investigation and file a final report.

5. In view of this decision, the prayer sought for in the present Habeas Corpus Petition does not require consideration. Accordingly, there shall be a



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direction to the fourth respondent herein to expedite the investigation in Crime No.1155/2021 and file a final report as expeditiously as possible.

6. With the above direction, the Habeas Corpus Petition stands closed.

(M.S.R.,J.) (M.N.K.,J.)
25.09.2023

NCC : Yes / No
Index : Yes / No
Lm

To

- 1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Madurai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 4.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.S.RAMESH,J.
and
M.NIRMAL KUMAR,J.

Lm

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