



HCP (MD)No.257 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP(MD).No.257 of 2023

Chandra

: Petitioner

Vs

1.The Superintendent of Police,
Pudukottai, Pudukottai District

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

: Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the person or body of the detenu by name Jeevanantham, S/o.Jeyaraman Hindu aged about 52 years, and set him at liberty.



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For Petitioner : Mr.R.Babu Jaganath
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

When the petitioner's husband Jeevanandham, aged about 52 years had gone missing from 13.12.2022 onwards, she had given a complaint on 20.12.2022 before the 2nd respondent police, which has been registered in Crime No.497/2022 as 'man missing'. While the investigation is in progress, the present Habeas Corpus Petition has been filed.

2.In the affidavit filed in support of this petition, the petitioner has admitted that her husband had borrowed huge loan from so many persons for interest and has defaulted. It is also stated therein that the cause for the detenu's leaving the house is owing to the debts. When the respondents have already taken the petitioner's complaint on file and registered the same and the investigation is also in progress, we do not find any justification on the part of the petitioner for having invoked Article 226 of the Constitution of India. for issuance of a writ of Habeas Corpus, when admittedly, the detenu is



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not in the illegal custody of anyone. Thus, there are no merits in the present

Habeas Corpus Petition. Accordingly, this petition is dismissed.

[M.S.R.,J] [M.N.K.,J]

13.07.2023

Index : Yes / No

Internet : Yes

RR

To

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Pudukottai District

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



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

RR

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