



H.C.P.(MD) No.607 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

H.C.P.(MD) No.607 of 2023

Manikandaprabu

... Petitioner

-VS-

1.The Superintendent of Police
Kanniyakumari
Kanniyakumari District

2.The Inspector of Police
Madakkur Police Station
Thanjavur
(Crime No.73/2023)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the first respondent herein to produce the body or person of the detenue Silapathikaram, wife of Rajasekar, (aged 53 years) before this Court and set her at liberty.



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For Petitioner : Mr.K.Thenrajan

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The case of the petitioner is that his mother is missing. There appears to have some matrimonial disputes between his parents. It appears that based on the complaint given by the petitioner, a case in Crime No.73 of 2023 has been registered on the file of Madukkur Police Station, Thanjavur District. The so-called detainee is a major, aged about 53 years.

3. Be that as it may, no case for issuance of notice in this habeas corpus petition is made out. However, we direct the second respondent to take earnest efforts to trace the detainee. The jurisdictional Deputy Superintendent of Police will monitor the investigation and as and when the detainee is secured, she will be produced before the learned jurisdictional Magistrate. The learned jurisdictional Magistrate will enquire the detainee and pass appropriate orders based on the outcome of the said enquiry.



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4. With the above direction to the second respondent to secure the detainee as expeditiously as possible, this habeas corpus petition is disposed of.

[G.R.S., J.] [S.S.Y., J.]
10.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Superintendent of Police,
Kanniyakumari,
Kanniyakumari District.
- 2.The Inspector of Police,
Madakkur Police Station,
Thanjavur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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