



HCP (MD)No.611 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2023

CORAM

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

HCP(MD).No.611 of 2023

Amalraj

: Petitioner

Vs

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

2.The Inspector of Police,
Sendamaram Police Station,
Sendamaram
Kadayanallur Taluk
Tenkasi District
FIR in Crime No.64/2023

: 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 2nd respondent herein to produce the body or corpus of the detenue herein viz., the petitioner's wife Sellammal (Age 52) W/o.Amalraj, before this Court and set her at liberty forthwith.



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For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

The petitioner claims that Sellammal is his wife and she has gone missing from 25.12.2022 onwards. His complaint in this regard has been registered in Crime No.64/2023 under woman missing on 14.04.2023. Since there was no much progress in the investigation, the present Habeas Corpus Petition has been filed.

2. The second respondent police has filed a status report dated 18.07.2023, wherein, they have stated that they have conducted an extensive enquiry and have also published advertisements through print and visual media and a special team has also been formed to search the missing woman.

3. It is not the case of the petitioner that his wife is in illegal custody of anybody. When he had given a complaint before the concerned jurisdictional police and the same has been registered and investigation is in progress, this



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Court, exercising its power under Article 226 of the Constitution of India, will not venture into directing the concerned police to secure the presence of his wife, who is admittedly not in illegal custody. It is always open to the petitioner to work out his remedies in accordance with law based on his complaint.

Accordingly, this Habeas Corpus Petition is closed.

[M.S.R.,J] [M.N.K.,J]
18.07.2023

Index : Yes / No

Internet : Yes

RR

To

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2.The Inspector of Police,
Sendamaram Police Station,
Sendamaram
Kadayanallur Taluk
Tenkasi District

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



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