



HCP (MD)No.885 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2023

CORAM

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

HCP(MD).No.885 of 2023

Bamamani

: Petitioner

Vs

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

2.State rep. by its
The Inspector of Police,
Town South Police Station,
Dindigul District
Crime No.149/2023

: 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 respondents 1 and 2 to produce the person or body of the detenu namely, Marimuthu S/o.Alagumalai aged about 47 years before this Court and set him at liberty.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor



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ORDER

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

Complaining that the petitioner's husband, namely, Marimuthu, S/o.Alagumalai, aged 47 years went missing from 11.07.2023, the petitioner had given a complaint before the 2nd respondent, which came to be registered in Crime No.149/2023 as 'man missing'. It is, in this background, the present Habeas Corpus Petition has been filed.

2.It is not the case of the petitioner that her husband is in the illegal custody of someone. While that being so, the appropriate remedy available to the petitioner is to pursue the investigation that is pending in Crime No. 149/2023. This Court, while exercising its power under Article 226 of the Constitution of India, will not be justified in considering the prayer sought for in the present Habeas Corpus Petition. Accordingly, this petition is dismissed.

[M.S.R.,J] [M.N.K.,J]
19.07.2023

Index : Yes / No
Internet : Yes
RR



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To

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

2.The Inspector of Police,
Town South Police Station,
Dindigul District

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



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M.NIRMAL KUMAR, J.

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