



H.C.P.(MD).No.199 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.02.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD).No.199 of 2024

Ramalakshmi

.. Petitioner/Wife of Detenu

Vs.

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

2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu and produce the person or body of the petitioner's husband namely Kumarakurubaran, S/o.Ramasamy Reddiyar, aged about 53 years, before this Court and set him at liberty forthwith on the basis of the petitioner's representation dated 27.11.2023.



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For Petitioner : No appearance
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN,J.

and

C.KUMARAPPAN,J.

The present Habeas Corpus Petition is filed by the wife on 04th January 2024, alleging that her husband, Kumarakurubaran, while he was working in a Transport Company in Thiruvettriur, Chennai, had gone missing during the month of April 2013.

2. In this connection, the petitioner has given a complaint to the respondent Police in the year 2023 after ten years and after enquiry, the second respondent/the Inspector of Police, Uthumalai Police Station, Tenkasi District has directed her to lodge a complaint before the Thiruvettriur Police Station, the place where her husband was last seen alive and working in the Transport Company. After lodging of the complaint, that too after ten years of missing, the present Habeas Corpus Petition is filed.



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3. Today, when the matter is called, there is no representation for the petitioner. This Court is of the view that the Habeas Corpus Petition of this nature need not be entertained at all, since for the ten years, the petitioner has not taken any steps to trace her husband and the reason for filing of the complaint to the Police out of jurisdiction is also not known. Hence, this Court holds that the Habeas Corpus Petition does not warrant any interference or indulgence by this Court to exercise the power under Article 226 of the Constitution of India. Accordingly, the Habeas Corpus Petition is dismissed as devoid of merits.

(G.J.,J.) (C.K.,J.)
23.02.2024

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

To

- 1.The Superintendent of Police,
Tenkasi District, Tirunelveli.
- 2.The Inspector of Police,
Uthumalai Police Station, Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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