



H.C.P.(MD) No.145 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

H.C.P.(MD) No.145 of 2024

Shanmugathai

... Petitioner

-vs-

- 1.The Superintendent of Police
Tirunelveli, Tirunelveli District
- 2.The Superintendent of Police
Thoothukudi, Thoothukudi District
- 3.The Inspector of Police
All Women Police Station
Tirunelveli Rural
Tirunelveli District
- 4.The Inspector of Police
Tiruchendur Police Station
Thoothukudi District

... Respondents



H.C.P.(MD) No.145 of 2024

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to secure or produce the body or person of the detenu, namely, Pattamuthu, C/o.Vennimuthu, aged about 35 years and set him at liberty.

For Petitioner : Mr.S.Sundarapandian

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The petitioner has filed this habeas corpus petition seeking a direction to the respondents to secure or produce the body or person of her husband, namely, Pattamuthu, aged about 35 years, and set him at liberty.

2. Learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the petitioner is the wife of the detenu and earlier, the petitioner had given a complaint before the All Women Police Station, Tirunelveli Rural / third respondent stating that her husband / detenu had gone away on account of matrimonial dispute. Enquiry had been conducted in C.S.R.No.24 of 2024 and later, since the



H.C.P.(MD) No.145 of 2024

petitioner had requested not to proceed further, the petitioner's complaint was closed. Subsequently, the detenu has again gone out of the house. He would further stated that based on the complaint given by the petitioner, a case in Crime No.93 of 2024 was registered by the fourth respondent – Police under the caption “Man Missing”. He would further submit that the preliminary investigation reveals that on account of some misunderstanding with the petitioner, the detenu had gone away. However, the respondent – Police are continuing with the investigation and as and when the detenu is secured or his whereabouts is located, the same will be intimated to the petitioner.

3. In view of the above submission of the learned Additional Public Prosecutor, this habeas corpus petition is closed with a direction to the respondent Police to continue with the investigation in accordance with law and as and when the detenu is secured or his whereabouts is identified, the same shall be intimated to the petitioner forthwith.

[A.D.J.C., J.] [K.R.S., J.]
10.04.2024

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

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Page 3 of 5



H.C.P.(MD) No.145 of 2024

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Tirunelveli Rural,
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- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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