



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

H.C.P.(MD) No.740 of 2024

DATED : 26.06.2024

CORAM:

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

H.C.P.(MD) No.740 of 2024

S.Palavesam

... Petitioner

-VS-

1.The State
rep.by the Superintendent of Police
Tirunelveli District

2.The State
rep.by the Inspector of Police
Valliyoor Police Station
Tirunelveli District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or person of the detenu, namely, Suresh, son of Manipandiyan, aged about 30 years before this Court and set him at liberty.



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H.C.P.(MD) No.740 of 2024

For Petitioner : Mr.S.Atham Ali

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 her husband, namely, Suresh, aged about 30 years, produce him before this Court and set him at liberty.

2. It is the case of the petitioner that her husband is a Mason and on 17.06.2024, he went for work as usual, however, he did not return back to home. Though she searched for him, she could not find out the whereabouts of her husband. Hence, she lodged a complaint before the respondent – Police. Though a case in Crime No.311 of 2024 for “man missing” came to be registered based on her complaint, no effective steps were taken by the respondent – Police to trace the missing person. Hence, the petitioner has filed this habeas corpus petition.



WEB COPY

H.C.P.(MD) No.740 of 2024

3. Learned Additional Public Prosecutor appearing for the respondent – Police, on instructions, would submit that it is a case of elopement. The missing person is the husband of the petitioner. He would further submit that the preliminary investigation reveals that the missing person has eloped with one Krishnammal of Valliyoor Village, who is also a relative to the petitioner. 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.

4. 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.]

26.06.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Page 3 of 5



WEB COPY

H.C.P.(MD) No.740 of 2024

To:

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



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AND
K.RAJASEKAR, J.

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