



H.C.P.(MD).No.910 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.07.2024

CORAM

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

H.C.P.(MD).No.910 of 2024

K.Umadevi

.. Petitioner / Wife of the Detenu

Vs.

1.The State,
Represented by the Superintendent of Police,
Tenkasi District.

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

3.G.Karthika

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the body or person of the detenu namely Ranjith son of Thiagarajan aged about 23 years from the illegal custody of the third respondent before this Court and set him at liberty.

For Petitioner : M/s.S.Meena

For R-1 & R-2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



H.C.P.(MD).No.910 of 2024

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The present Habeas Corpus Petition has been filed by the petitioner seeking to produce the body or person of her husband, namely, Ranjith, S/o.Thiyagarajan, aged about 23 years, before this Court.

2. The case of the petitioner is that she was in love with one Ranjith for the past six years and that with the consent of their parents, she got married to him and they were living at Sivagiri. While so, on 29.05.2024, the petitioner's husband left home and he did not return back and thereafter, his mobile phone was also switched off. Hence, the petitioner had given a complaint to the second respondent Police and initially, an enquiry was conducted in CSR.No.67/2024 and later, a case in Crime No.6/2024 was registered for man missing. When the petitioner was trying to search about her husband through his social media pages, she came to understand that her husband had gone along with the third respondent. The petitioner had informed the same to the second respondent Police, who in turn, went to the house of the third respondent and enquired. On enquiry, it was found that



H.C.P.(MD).No.910 of 2024

the third respondent was also missing and thereby, the petitioner had approached this Court by filing Habeas Corpus Petition.

3. The learned Additional Public Prosecutor appearing for the first and second respondents would submit that based on the complaint given by the petitioner, a case in Crime No.6/2024 has been registered for man missing and during the course of investigation, it came to light that the missing person, who is the husband of the petitioner, was a drummer by profession and that he has left home on 29.05.2024. Enquiry with the parents of the missing person also revealed that they were all along under the impression that the missing person would have gone on his avocation and that they were also not searching for him. Later, it came to light that the missing person has gone along with the third respondent, who is also missing from her home. The respondent Police is taking steps to secure the missing person and the third respondent and as and when they are traced, it will be intimated to the petitioner herein.

4. In view of the above submission, we find that it is not a case of illegal detention. However, the respondent Police is directed to continue



H.C.P.(MD).No.910 of 2024

with the investigation and as and when the missing person and the third respondent are traced, the same shall be intimated to the petitioner herein.

With the above direction, the Habeas Corpus Petition stands disposed of.

(A.D.J.C.,J.) (K.R.S.,J.)
26.07.2024

NCC : Yes / No
Index : Yes / No
Lm

To

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



WEB COPY



H.C.P.(MD).No.910 of 2024

A.D.JAGADISH CHANDIRA,J.
and
K.RAJASEKAR,J.

Lm

H.C.P.(MD).No.910 of 2024

26.07.2024