



H.C.P.(MD) No.918 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

CORAM:

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

H.C.P.(MD) No.918 of 2024

Manikandan

... Petitioner

-VS-

1.The State Represented by the
Commissioner of Police,
District Commissioner of Police Office,
Madurai City,
Madurai District.

2.The Inspector of Police,
Sellur Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 & 2 to produce the person or body of the petitioner's wife namely Nirmala, wife of Manikandan, aged about 28 years old before this Court and set her at liberty.



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For Petitioner : Mr.T.Gopala Krishnan
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed by the husband of the detenu seeking to produce the alleged detenu namely Nirmala, W/o.Manikandan, aged about 28 years before this Court and set her at liberty.

2. The case of the petitioner is that he married the missing person before 13 years. On 10.07.2024 around 10.45 a.m., his wife namely Nirmala went to Gurunji Metal Shop for work, thereafter, she did not return back to home. Hence, the petitioner has given a complaint on 11.07.2024 before the second respondent police and based on the complaint, the second respondent has registered a case in Cr.No.649 of 2024 for 'Women Missing'. Since no steps have been taken, the petitioner has filed the present habeas corpus petition.



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3. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that based on the complaint given by the petitioner, a case in Cr.No.649 of 2024 came to be registered for 'Women Missing'. During the course of investigation, the missing person Nirmala was traced and brought to the police station and during the enquiry, she had stated that due to matrimonial discord with her husband, she had gone out of the house on her own volition. Despite the counselling, the missing person had refused to go along with her husband and she has also refused to go along with her parents and finding that she is vulnerable and she is accommodated in a shelter home at Madurai.

4. Recording the same finding that the missing person is not under illegal detention of anybody, this habeas corpus petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
29.07.2024

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

- 1.The Commissioner of Police,
District Commissioner of Police Office,
Madurai City,
Madurai District.
- 2.The Inspector of Police,
Sellur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

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