



HCP(MD)No.1229 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P(MD)No.1229 of 2023

Shanmuganathan ... Petitioner/Husband of the detenue

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

3.Selvaganapathy

4.Raja

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the person or body of the petitioner's wife namely Vasanthi, wife of Shanmuganathan, aged about 34 years and his minor son namely Bhavaneethan, Son of Shanmuganathan, aged about 2 years before this Hon'ble Court and set them at liberty.



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For Petitioner : Ms.A.Banumathy

For R-1 & R-2 : Mr.RMS.Sethuraman,
Addl. Public Prosecutor

ORDER

(Order of the Court was made by **K.K.RAMAKRISHNAN, J.**)

This Habeas Corpus Petition has been filed by the petitioner seeking for a direction to the respondents 1 and 2 herein to produce the person or body of the petitioner's wife namely Vasanthi, wife of Shanmuganathan, aged about 34 years and his minor son namely Bhavaneethan, son of Shanmuganathan, aged about 2 years before this Hon'ble Court and set them at liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. The second respondent filed a status report before this Court stating that after receiving complaint from the petitioner, the respondent police enquired the matter. On enquiry, it is found that the detenue, who is the wife of the petitioner borrowed a sum of



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Rs.1,15,93,000/- from various persons and at the instance of the demand made, she went out of home along with the child. Based on complaint given by the petitioner, the second respondent police registered a case in Crime No.238 of 2023 and the same is under investigation.

4. In view of the above factual circumstances, we close this Habeas Corpus Petition with a direction to the second respondent police to complete the investigation in accordance with law, within a period of four months from the date of receipt of a copy of this order.

[J.N.B.,J.] & [K.K.R.K.,J.]

08.01.2024

Index :Yes/No

NCC :Yes/No

pm

To

1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2.The Inspector of Police,
Arumuganeri Police Station, Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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J.NISHA BANU, J.
AND
K.K.RAMAKRISHNAN, J.

pm

ORDER MADE IN
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