



H.C.P.(MD)No.1341 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD)No.1341 of 2024

Mathankumar

... Petitioner / Son of Detenue

Vs.

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

2.The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District. ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the body or person of detenue, namely, Mahalakshmi, W/o.Manikandan aged about 50 years before this Court and set her at liberty.

For Petitioner : Mr.R.Manikcam

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor.



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ORDER

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(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner's mother is found missing since 28.12.2023. The petitioner lodged complaint and the second respondent registered a case in Crime No.2 of 2024.

3.From the averments set out in the affidavit filed in support of the habeas corpus petition, we are satisfied that the petitioner's mother had left the home since she was unable to face debt related issues. We are satisfied that it is not a case of illegal custody. The petitioner has to pursue his remedy with the second respondent.

4.This habeas corpus petition is dismissed accordingly.

(G.R.S. J.) & (R.P. J.,)
11.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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- 2.The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

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