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H.C.P.(MD)NO.1376 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1376 of 2024

S.Muthumeenakshi ... Petitioner (wife of the detenu)

Vs.

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

2. The Inspector of Police,
Thoothukudi South police station,
Thoothukudi District. ... Respondents

Prayer: Habeas Corpus petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's husband (detenu) namely Arunmuthu, S/o.Balasubramanian, aged 45 years before this Court and set him at liberty.

For Petitioner : Mr.M.Chandrabose

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

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard the learned counsel on either side.



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2. The petitioner's husband is said to be missing. In this regard, Crime No.607 of 2024 on the file of the second respondent has already been registered.

3. The learned Additional Public Prosecutor appearing for the respondents informed the Court that the petitioner's husband appears to have heavily indebted and that to escape from the clutches of the creditors, he had gone missing. It is not as if somebody is illegally holding custody of the petitioner's husband.

4. We are of the view that this petition is not maintainable. However in the interest of justice, we direct the jurisdictional Additional Superintendent of Police to monitor the investigation in the aforesaid criminal case. This Habeas Corpus petition is dismissed.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)

5th November 2024

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

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police,
Thoothukudi South police station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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4

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