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HCP.No.296 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P.No.296 of 2025

K.Rathinam

...Petitioner(s)/ husband of the detenue
Vs

1. The Superintendent Of Police
Nethimedu, Salem District.

2.The Inspector Of Police
Mettur Police Station, Salem District.

...Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to issue a Writ, order or direction in the nature of a Writ of Habeas Corpus or any other appropriate writ, order or direction, directing the respondents to produce petitioner's wife, by name, R.ARULMOZHI, aged about 35 years, before this Honble court and set her at liberty.

For Petitioner
For Respondents

: Mr.C.Rajaguru
: Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER



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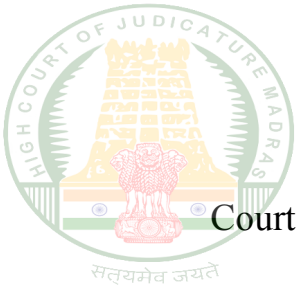
(Order of this Court was made by M.S.RAMESH.J.)

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On realizing that the petitioner's wife, who was in an enraged relationship with the petitioner, was missing from her mother's house, the brother-in-law of the petitioner lodged a complaint before the respondents and the same was registered in Cr.No.25 of 2025 under the caption "women missing" and thereafter, the respondents did not take any effective steps to trace the petitioner's wife. In this background, the present Habeas Corpus Petition has been filed.

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

3. In the averments made in the affidavit, we do not find any statement made that the petitioner's wife has been kept under unlawful custody of any third person. It is also the statement of the petitioner that his wife is aged 35 years. We fail to understand as to how a case of women missing can be made as a subject matter of Habeas Corpus Petition. If at all the petitioner is aggrieved against the inaction on the part of the police to trace his missing wife, the remedy would lie elsewhere and not before this



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Court. As such, we do not deem it fit to interfere.

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4. Accordingly, this Habeas Corpus Petition stands dismissed with a direction to the second respondent police to expedite the investigation in Cr.No.25 of 2025 and file a final report as expeditiously as possible.

[M.S.R., J] [N.S., J]
13.02.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No
Anu

To

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.
Anu



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