



H.C.P.(MD)No.98 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

CORAM

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

H.C.P.(MD)No.98 of 2025

Pamila

... Petitioner / Wife of detenu

Vs.

**1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanniyakumari District.**

**2.The Inspector of Police,
Asaripallam Police Station,
Kanniyakumari District.**

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to secure or produce the body or person of the detenu namely Alister S/o.David aged about 44 years before this Court and set him at liberty.

For Petitioner : Mr.B.Micheal Sebastin



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

ORDER

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

Heard both sides.

2. The petitioner is the wife of the detinue. The petitioner's husband left the matrimonial home in 2016 itself. He said to have been missing since 2019. There was also exchange of legal notices. The legal notice issued on behalf of the detinue claimed that the detinue was under the care of the advocate himself. Since the detinue went missing when he was at Chennai, the question of maintaining this habeas corpus petition will not arise at all. We are satisfied that this is not a case of illegal detention. The petitioner will have to pursue her remedy in the manner known to law. The Habeas Corpus Petition is dismissed.

(G.R.S. J.) & (R.P. J.)
27.01.2025

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



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and
R.POORNIMA, J.

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