



H.C.P(MD)No.223 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Mary Brigital

**... Petitioner/
Mother of the detenue**

-Vs-

- 1.The Superintendant of Police,
Office of the Superintendant of Police,
Kanniyakumari District.**
- 2.The State of Tamil Nadu represented by
The Inspector of Police,
Krungal Police Station,
Kanniyakumari District.
(Cr.No.24 of 2023)`**

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to secure or produce the body or person of the detenue namely Joslin Anto, @ Aji, S/o.Late Rajaiyan, aged about 45 years before this Court and set him liberty.



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For Petitioner : Mr.S.Jebastin

For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The Habeas Corpus Petition is filed for a direction to the respondents to secure or produce the body or person of the detenue namely Joslin Anto @ Aji, S/o.Late Rajaiyan, aged about 45 years before this Court and set him at liberty.

2.The case of the petitioner is that she got two children viz., Joslin Anto @ Aji, aged about 45 years and one daughter viz., Roslin Fathima, aged about 48 years, who was married to one Rajasekar. Her son-in-law Rajasekar was taking treatment for diabetes at Amirtha Medical College, Kerala and during that period, the petitioner and her son were staying in the daughter's house. The petitioner had tried to call him in three mobile numbers used by her son and all the numbers were switched off and she was unable to trace her son. Therefore, the petitioner had preferred a complaint before the second respondent on 22.01.2023 based on which, a case in Crime No.24 of 2023 was registered under Man Missing. Since



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the respondents had not taken any steps to find out the whereabouts of her son, the petitioner has filed the present Habeas Corpus Petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions submitted that based on the complaint given by the petitioner, a case in Crime No.24 of 2023 was registered under Man Missing. The learned Additional Public Prosecutor further submitted that the investigation has been done properly and by proceedings dated 10.07.2025, the Superintendant of Police, Kanniyakumari District formed a Special Team consisting of Jeyachandran, Deputy Superintendent of Police, Colachel Sub-Division and two Other officers had been directed to assist him and the preliminary investigation reveals that the petitioner was living in Chennai and working under one Perumal, who is a neighbour and the preliminary investigation further reveals that the petitioner's son had married a woman without the knowledge of his mother and the police suspect that it could be the reason for him not contacting his mother. However, the respondents are continuing with the investigation to trace the whereabouts of the missing person.



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4. Recording the aforesaid submissions, this Habeas Corpus Petition stands closed with a direction to the respondent police to continue with the investigation.

[A.D.J.C.,J.] & [R.P.,J.]
16.07.2025

NCC:Yes/No

Index:Yes/No

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kanniyakumari District.
2. The State of Tamil Nadu represented by
The Inspector of Police,
Krungal Police Station,
Kanniyakumari District.
(Cr.No.24 of 2023)`
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.

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ORDER MADE IN

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16.07.2025