



HCP(MD)No.460 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.07.2025

CORAM :

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

HCP(MD)No.460 of 2025

A.Rajeev

... Petitioner

vs.

1. The State of Tamilnadu,
Rep by its
The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

2. The State of Tamilnadu,
Rep by its
The Inspector of Police,
Othakkadai Police Station,
Madurai District.

... Respondents

PRAYER : Habeas Corpus Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Habeas Corpus, directing the 1st and 2nd respondents to secure and produce the body or person of the petitioner's wife by name Roja W/o. Rajeev aged about 27 years before this Court set her at liberty.



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For Petitioner : Mr.S.Vikram
For R1 & R2 : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

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

The case of the petitioner is that he got married to the alleged missing person Roja and out of the wedlock, they have one daughter namely, Roasharina. While so, on 29.03.2025, the wife of the petitioner after handing over the child to the petitioner's mother, left the home and she did not return back to home. On 29.03.2025, unable to trace her, the petitioner had given a complaint and the 2nd respondent had registered a case in Crime No.93 of 2025 for 'woman missing'. Since no action has been taken by the 2nd respondent/Police to find out the whereabouts of the missing wife, the petitioner has filed this Habeas Corpus Petition.

2. The 2nd respondent/Police has filed a status report. The learned Additional Public Prosecutor would submit that based on the complaint given by the petitioner that his wife was missing, a case in Crime No.93 of 2025 was registered for 'girl missing'. During the course



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of investigation, it came to light that the alleged detainee had developed illicit intimacy with one Santhanam and she had become pregnant. The said Santhanam and the missing person were found to be residing somewhere around Tiruppur and Erode districts and that the 2nd respondent also received information that the detainee had in between come to Chittampatti, Madurai District, to take treatment at Government Primary Health Centre located at Chittampatti and the staff nurse who had treated the missing person had informed that the missing person was found to be pregnant by eight months at that time. The records maintained at the Primary Health Centre also reveals that due date of delivery is on 08.07.2025. He would submit that the respondents are continuing with the investigation and as and when the detainee/missing person is traced, it will be informed to the petitioner and that they are continuing with the investigation in Crime No.93 of 2025.

3. Recording the submissions made and *prima facie* finding that the missing person is not in illegal detention, the Habeas Corpus Petition stands disposed of. However, a direction is issued to the



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respondents to continue with the investigation and trace the missing person.

[A.D.J.C, J.] [R.P, J.]
01.07.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Othakkadai Police Station,
Madurai District.



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

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ORDER MADE IN
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DATED : 01.07.2025