



HCP(MD)No.672 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

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CORAM:

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

HABEAS CORPUS PETITION(MD)No.672 of 2025

Antony Sunil Babu

... Petitioner

vs.

1. State of Tamil Nadu,
The Superintendent of Police,
Office of the Superintendent of Police,
Kannnyakumari District.

2. The Inspector of Police,
Kannnyakumari Police Staion,
Kannnyakumari District.

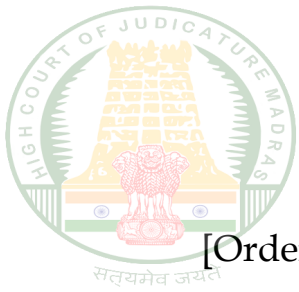
... Respondents

PRAYER: 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 detenus namely, Sahayakaniozhi, W/o.Antony Sunil Babu, aged about 42 years, Nithin Antony, S/o.Antony Sunil Babu, aged about 15 years and Sahaya Nithish S/o.Antony Sunil Babu, aged about 13 years, before this Court and set them at liberty.

For Petitioner : Mr.B.Micheal Sebastin

For Respondents: Mr.B.Nambi Selvan

Additional Public Prosecutor



ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

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The case of the petitioner is that he married one Sahayakaniozhi, the first missing person on 05.03.2007 and out of the wedlock, two sons namely, Nithin Antony and Sahaya Nithish were born. While so, the petitioner's wife namely, Sahayakaniozhi aged about 42 years along with his children namely, Nithin Antony, aged about 15 years and Sahaya Nithish aged about 13 years, went missing on and from 01.05.2025 and despite the complaint given to the 1st respondent in person on 10.05.2025 and the subsequent complaint sent through online on 24.05.2025, no action was taken. Hence, the petitioner has filed this Habeas Corpus Petition to produce the body or person of the detenus before this Court and set them at liberty.

2. The 2nd respondent has filed a status report before this Court. The learned Additional Public Prosecutor appearing for the respondents would submit that based on the complaint given by the petitioner, a case in Crime No.238/2025 on the file of Kanyakumari Police Station was registered on 16.06.2025. During the course of investigation, it came to light that the petitioner's wife had borrowed loans from 50 individuals in



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the same village to the tune of Rs.1.75 Crores. Since the borrowers had pressurised the petitioner's wife to repay the debt or to vacate the house, the petitioner's wife along with her children moved to her sister's house at South Thamaraikulam. He further submitted that though the petitioner claims that his wife along with her children went missing from 01.05.2025, the petitioner's wife had gone to S.A.V Balakrishna Matriculation School, Vadakkankulam, where, her first son Nithin Antony was studying, and had collected his Transfer Certificate on 26.05.2025. The police enquiry also revealed that the second son of the petitioner who was studying in Stallas Matriculation School, had stopped from attending the school after 05.11.2024.

3. Learned Prosecutor further submitted that one Mary Gilda submitted a complaint to the Superintendent of Police, on 06.03.2025, stating that the petitioner's wife had borrowed loans and cheated her. When the police asked the petitioner's wife to appear for an enquiry on the said complaint, she did not appear and that steps are being taken to find out the whereabouts of the missing persons. He would also submit that the petitioner's wife had borrowed money from several persons and further, the petitioner had also not supported his wife financially and



HCP(MD)No.672 of 2025

therefore, she along with her children had moved to her sister's house and are living separately. He would submit that the investigation is going on and that the respondents are taking steps to find out the whereabouts of the detenus.

4. Recording the submission made by the learned Prosecutor and also the status report filed by the 2nd respondent, this Habeas Corpus Petition is disposed of with a direction to the 2nd respondent / Inspector of Police to continue with the investigation in Crime No. 238/2025 on the file of Kanyakumari Police Station, in accordance with the procedure established in law and the Deputy Superintendent of Police, Kanyakumari District, shall monitor the investigation. No costs.

[A.D.J.C., J.] [R.P., J.]
25.06.2025

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

1. The Superintendent of Police,
State of Tamil Nadu,
Office of the Superintendent of Police,



HCP(MD)No.672 of 2022

Kannnyakumari District.

2. The Inspector of Police,
Kannnyakumari Police Staion,
Kannnyakumari District.

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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DATED : 25.06.2025