



H.C.P(MD)No. 754 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.754 of 2025

Bhavya

... Petitioner/
Sister of the detainee

-Vs-

The State of Tamil Nadu,
1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
(Crime No.104 of 2025)

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of

India, to issue a Writ of Habeas Corpus, to direct the 2nd respondent to produce

the person or body of the petitioner's brother namely Maharaja,



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S/o.Krishnakumar, aged about 30 years before this Court and set him at liberty.

For Petitioner : Mr.G.Aravinthan

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 second respondent to produce the person or body of the petitioner's brother namely Maharaja, S/o.Krishnakumar, aged about 30 years before this Court and set him at liberty.

2.The case of the petitioner is that the missing person viz., Maharaja, S/o.Krishnakumar, aged about 30 years is her brother and that he has completed engineering and during the year 2024, her brother had met with an accident and sustained injury on his head and hence, he was unable to go to work. While so, on 27.02.2025 he sent a message to the petitioner's niece viz., Preetha saying that he did not want to be a burden to others and he switched off his cell phone. The petitioner's brother, due to his inability to go to work, was under frustration.



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Thereafter, the petitioner's brother had taken his two wheeler bearing Registration No.TN74-AA-4497 and had gone away and whereabouts of his brother are not known. Therefore, the petitioner had given a complaint and a case has been registered in Crime No.104 of 2025 under Man Missing. Since the respondents have not taken any steps, the petitioner has come forward with the present Habeas Corpus Petition.

3.When the matter is taken up for hearing today, the learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner, a case has been registered in Crime No. 104 of 2025. Even admittedly, as per the complaint, the petitioner's brother was stated to be under frustration, since he was unable to go to work, he has left the home after giving a message to her niece, in such circumstance, the missing person cannot be held to be under illegal detention of anybody. The learned Additional Public Prosecutor further submitted that the third respondent is also taking steps to trace the whereabouts of the missing person and the investigation is going on.



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4.Having gone through the records, this Court finds that there is no material to show that the petitioner's brother is under illegal detention of anybody. Hence, this Habeas Corpus Petition is disposed of with a direction to the second respondent to continue with the investigation and the Deputy Superintendant of Police, Kanyakumari, is directed to monitor the investigation in Crime No.104 of 2025.

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

NCC:Yes/No

Index:Yes/No

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To

- 1.The Superintendant of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
- 3.The Deputy Superintendant of Police,
Kanniyakumari.
- 4.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
H.C.P(MD)No.754 of 2025

01.07.2025