

HCP(MD)No.985

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

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CORAM :

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

HCP(MD)No.985 of 2025

C.Kameshwari

... Petitioner

vs.

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai.

2. The Inspector of Police,
Theppakulam Police Station,
Theppakulam,
Madurai.

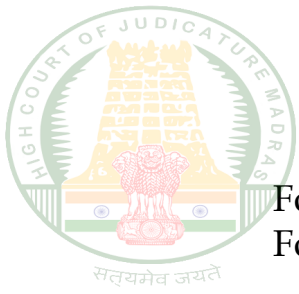
3. Mr.Satheeshkumar

4. The Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur.

... Respondents

(R4 was impleaded *suo motu* as per the order of this Court dated 18.08.2025 in HCP(MD)No.985/2025)

PRAYER : Habeas Corpus Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's brother namely, Maheshwaran S/o. Ganapathi aged about 35/2025 before this Court and set him at liberty.



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For Petitioner : Mr.M.Mahendran
For R1 & R2 : Mr.B.Nambi Selvan,
Additional Public Prosecutor
For R3 : Mr.M.Arun Kumar

ORDER

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

This Habeas Corpus Petition has been filed to direct the respondents 1 and 2 to produce the person or body of the petitioner's brother namely, Maheshwaran S/o. Ganapathi aged about 35 years before this Court and set him at liberty.

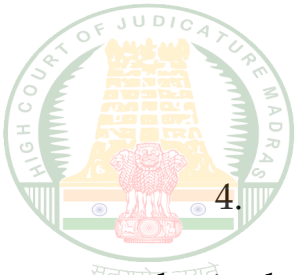
2. The case of the petitioner is that her own brother Maheshwaran/detenu married to one Tmt.Chitradevi and that due to matrimonial issues, they started living separately. The petitioner's brother was staying in the petitioner's home and working in a company called "Solar Veedu" as a field staff and used to stay in the company and come to the petitioner's house during weekends. While so, on 28.07.2025, the petitioner's brother did not come back to home. The petitioner along with her husband had enquired the 3rd respondent / employer about the detenu and he had informed that the detenu had caused damage to his car to the value of Rs. 45,000/-. The 3rd respondent had also taken the purse and mobile phone of the detenu and he stated that if only the said amount is paid, he would show



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the detenu and return his mobile phone and purse. The petitioner since was feeling that the 3rd respondent without showing her brother, had been demanding money, had given a complaint to Theppakulam Police Station on 05.08.2025. The police had enquired the petitioner as well as the 3rd respondent during which, the 3rd respondent had informed that he had taken the petitioner's brother/detenu to Thiruvarur on 28.07.2025 and when they were there, the detenu had taken his car to another place without his knowledge and caused damage and the 3rd respondent had gone to the place and had taken the detenu's mobile phone and purse. The 2nd respondent had asked the 3rd respondent to furnish the details of the accident and the 3rd respondent had given the CSR copy to the 2nd respondent. Even thereafter, since the petitioner's brother's whereabouts were not known, the petitioner had given a complaint to the higher police officials, whereas, the 2nd respondent had transferred the case to Thiruvarur Police Station without taking any action and thereby the petitioner has filed this Habeas Corpus Petition.

3. When the matter was listed on 18.08.2025, this Court had *suo motu* impleaded the Inspector of Police, Thiruvarur Taluk Police Station as 4th respondent. He is present before this Court today.

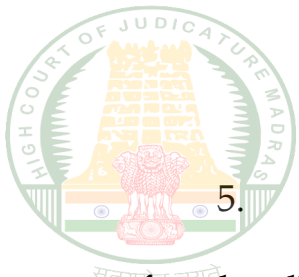


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4.

Mr.B.Nambi Selvan, learned Additional Public Prosecutor would

submit that since it was mentioned in the complaint that the petitioner's brother was lastly found at Thiruvarur, the 2nd respondent had transferred the case to the file of Thiruvarur Police Station, who had initially taken up the case for enquiry in CSR.No.888/2025 and later they have registered a case in Crime No.269 of 2025 on 18.08.2025. He would further submit that during the course of investigation, it has come to light that the petitioner's brother had caused damage to the 3rd respondent's car at Thiruvarur, in which, there had been a quarrel between them and the 3rd respondent had demanded an amount of Rs.45,000/- for repairing the damage caused to his car and the detenu had on that date left Thiruvarur leaving his purse and mobile phone in the car. Subsequently, during the course of investigation, it has been found that the missing person had purchased a new sim card on 01.08.2025 using his Aadhar Card bearing No.5732 1384 6460. He would further submit that the preliminary investigation reveals that the detenu is not in illegal detention and he is hiding himself for the reasons best known to him. The Police at Thiruvarur are taking steps to find out the whereabouts of the missing person.



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5. Having gone through the records, we find that the missing person

after the alleged date of missing on 28.07.2025, had purchased a new sim card

using his aadhar card on 01.08.2025 and that he is not in illegal detention,

whereas, he is hiding himself. Hence, the Habeas Corpus Petition is closed

with a direction to the Inspector of Police, Tiruvarur Taluk Police Station, to

continue with the investigation in Crime No.269 of 2025 dated 18.08.2025.

The Deputy Superintendent of Police, Thiruvarur, shall monitor the

investigation.

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

25.08.2025

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai.

2. The Inspector of Police,
Theppakulam Police Station,
Theppakulam,
Madurai.

3. The Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur.



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

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
HCP(MD)No.985 of 2025
DATED : 25.08.2025