



H.C.P.(MD)No.1173 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.1173 of 2025

Nirmala

... Petitioner

-vs-

1. The Superintendent of Police
Kanyakumari District
Nagercoil.

2. The Inspector of Police
Nithiravilai Police Station
Kanyakumari District

3. Ebi. A.Shala

4. Dr.Reshma

5. Shifali Alfred

(R4 and R5 impleaded as per the order of this Court

dated 16.10.2025 in CrI.M.P(MD)No.14761 of 2025) ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, directing respondent Nos.1
and 2 to secure the detenue and produce the body of person of the



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detenu viz., Alfred, S/o. Swamydhas, aged 60 years before this Court
and set him at liberty forthwith

For Petitioner : Mr.D.Srinivasaraghavan

For Respondents : Mr.R.M.Anbunithi
No.1 and 3 Additional Public Prosecutor

No.4 and 5 : Mr.M.Maran

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Habeus Corpus Petition has been filed to direct the respondent Nos.1 and 2 to secure the detenu and produce the body of person of the detenu viz., Alfred, S/o. Swamydhas, aged 60 years before this Court and set him at liberty forthwith

2. The petitioner is the sister of the detenu and she got married and living with her husband and also having a sister of unsound mind. There is a property dispute between the detenu and the third respondent and therefore the detenu called the petitioner and stated that



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he will come to her house, however he did not come. From the said date onwards the detenue is missing. Therefore the petitioner lodged complaint and the same was registered in Crime No. 190 of 2025 under the caption 'Man Missing' on the file of the second respondent. Even from the date of registration of the First Information Report, the second respondent did not take any steps to secure the detenue.

3. While pending this petition, the petitioner also impleaded wife and daughter of the detenu as the fourth and fifth respondent.

4. The second respondent after investigation filed status report.

5. While pending the First Information Report the detenu seems to have contacted the fourth respondent over phone and therefore even after registration of the First Information Report the fourth respondent and the detenue had contact with each other and the whereabouts of the detenu is well known to the fourth respondent.



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6. The apprehensions of the petitioner that the detenu is missing cannot be countenanced.

7. In view of the same, the second respondent is directed to complete the investigation and file final report in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the Habeus Corpus Petition stands disposed of.

[G.K.I., J.] [R.P., J.]
09.12.2025

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To

1. The Superintendent of Police
Kanyakumari District
Nagercoil.
2. The Inspector of Police
Nithiravilai Police Station
Kanyakumari District



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



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and
R.POORNIMA, J.

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