



H.C.P.(MD)No.1311 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1311 of 2025

Yasmin

... Petitioner

-VS-

1.The State of Tamil Nadu Rep. by
The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.

3.Deleted
(Amended as per order of this Court
dated 11.11.2025)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu namely Syed Abutahir, S/o.Mohaideen Abdul Kathar, aged 44 years before this Court and set him at liberty.

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For Petitioner : Mr.R.Prasanna
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed for a direction directing the respondents 1 & 2 to secure and produce the detenu before this Court.

2. The petitioner is the wife of the detenu. She married the detenu by name Syed Abutahir on 06.05.2012. Thereafter, they gave birth to three children and he was missing from December 2021. Hence, the petitioner lodged a complaint. The second respondent registered the FIR in Cr.No.174 of 2025 under 'Man Missing'. During the investigation, the second respondent found that the detenu eloped with other woman to Abroad.



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3. The learned Additional Public Prosecutor appearing for the respondents also produced the travel particulars of the detenu dated 02.12.2025. It reveals that the detenu had flew away to Malaysia even as early as on 31.08.2022 and thereafter, he returned to India on 01.05.2024 and stayed in India for 43 days. Once again, he went to Malaysia on 13.06.2024. Therefore, the detenu is not under anybody's illegal detention and hence, the habeas corpus petition is not maintainable.

4. In view of the above, this habeas corpus petition is dismissed. The third respondent is directed to complete the investigation and file a final report in accordance with law, as expeditiously as possible.

[G.K.I., J.] [R.P., J.]
12.12.2025

am
NCC :Yes/No
Index: Yes/No
Internet: Yes/No



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To

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
- 3..The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

am

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