



HCP(MD)No.203 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

HCP(MD) No.203 of 2026

Victoriya

... Petitioner

Vs.

1.State, Rep.by
The Superintendent of Police,
Thoothukudi, Thoothukudi District.

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.

3.Chinnadurai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus, to direct the 2nd respondent herein to produce the body or person of the petitioner's husband namely, Jeyakumar S/o.Mariappan, aged about 52 years, before this Court and set him at liberty.



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For Petitioner : Mr.K.Jerish Neeraj

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1 and R2

ORDER

(By G.R.SWAMINATHAN, J.)

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

2.The petitioner is the wife of Jeyakumar S/o.Mariappan. This Habeas Corpus Petition has been filed to direct the respondents 1 and 2 to secure the said Jeyakumar and produce him before this Court.

3.The learned Additional Public Prosecutor on instructions states that the petitioner's husband is employed as a lorry driver. He was driving a lorry that belongs to the third respondent. When the lorry was being driven through Andhra Pradesh, it appears to have met with some accident. The petitioner's husband abandoned the lorry and went missing.



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4.It appears that a police team deputed by the first respondent went to Andhra Pradesh but could not trace the petitioner's husband. It is in this background, this Habeas Corpus Petition has been filed.

5.Habeas Corpus Petition can be filed only if the officials or any private individual had illegally detained anyone. Neither the third respondent had detained the petitioner's husband nor the jurisdictional police. For every missing complaint, Habeas Corpus Petition cannot be filed. The petitioner has to pursue her remedy with the second respondent. This Habeas Corpus Petition is not maintainable and it stands dismissed.

(G.R.S. J.) & (R.K.M. J.)
23.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias/skm



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and
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