



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.05.2026

CORAM

**THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA  
AND  
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

H.C.P.(MD)No.692 of 2026

P. Alagammal

.. Petitioner / mother of  
the detenu

Vs.

1. The State of Tamilnadu  
Rep.By, the Superintendent of Police,  
O/o. Superintendent of Police Office Campus,  
Madurai District.

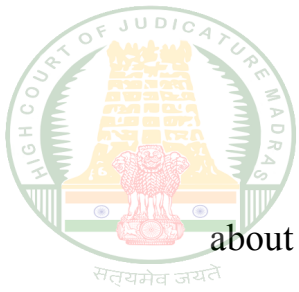
2. The Deputy Superintendent of Police,  
O/o. the Deputy Superintendent of Police  
Office Campus,  
Madurai District.

3. The Inspector of Police,  
Saptur Police Station,  
Madurai District.

4. P. Lakshmanan

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 to 3, to produce the body or person of petitioner's daughter P. Muneeswari D/o. Pandian aged



about 23 years before this Hon'ble Court and set her at liberty.

WEB COPY

For Petitioner : Mr.P. Subha Rani  
For R1 to R3 : Mr.T.Lenin Kumar  
Additional Public Prosecutor

### **ORDER**

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

This Habeas Corpus Petition has been filed seeking a direction to the respondents therein to produce the body/person of the petitioner's daughter, namely P.Muneeswari, D/o.Pandian, aged about 23 years, before this Hon'ble Court and set her at liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the State.

3. From the facts this Court finds that this Habeas Corpus Petition is in respect of person who is simply missing and not under unlawful detention. Unlawful detention is *sine qua non* for issuance of Writ of Habeas Corpus.



WEB COPY

4. The Division Bench of this Court in H.C.P.(MD) Nos.793 and 658

of 2025 has relied on the following orders:

a) Simmi Bai .vs. Shrimaan Police Mahanirishak Mahodaya and others (2025 SCC OnLine MP 893)

b) H.C.P.No.2191 of 2017 (Kalaiaarasi vs. State) dated 7.5.2018

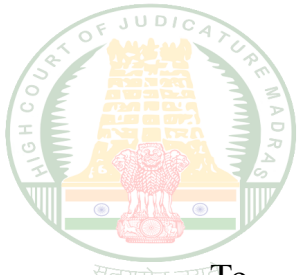
c) K.Sukumari vs. The Superintendent of Police (Crl.O.P.(MD) No. 19255 of 2016 dated 18.9.2018)

and has held that Habeus Corpus Petition in respect of missing person whose detention is not stated to be unlawful/illegal is not maintainable.

5. In view of the above, this Habeas Corpus Petition stands disposed of with a direction to respondents 1 and 2 to effectively pursue the investigation for tracing the missing person in the present case. Accordingly, the investigating officer shall continue the investigation and take all necessary steps to trace the missing persons.

[A.D.J.C., J.] [P.V.M., J.]  
27.05.2026

Index : Yes/No  
Internet : Yes/No  
Neutral Citation : Yes/No  
PKN



To

WEB COPY

1. The State of Tamilnadu  
Rep.By, the Superintendent of Police,  
O/o. Superintendent of Police Office Campus,  
Madurai District.
2. The Deputy Superintendent of Police,  
O/o. the Deputy Superintendent of Police  
Office Campus,  
Madurai District.
3. The Inspector of Police,  
Saptur Police Station,  
Madurai District.



WEB COPY



**A.D.JAGADISH CHANDIRA ,J.  
AND  
P.VADAMALAI,J.**

PKN

H.C.P.(MD)No.692 of 2026

27.05.2026