
P. Kannammal Vs The Sub Inspector of Police, Selvi and P. Ramesh

H.C.P. No. 1966 of 2010

Court: Madras High Court

Date of Decision: Oct. 22, 2010

Hon'ble Judges: M. Chockalingam, J; C.S. Karnan, J

Bench: Division Bench

Advocate: A. Parveen, for the Appellant; Babu Muthu Meeran, Additional Public Prosecutor for R1, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

M. Chockalingam, J.

Invoking the writ jurisdiction of this Court, one Mrs.P.Kannammal has brought forth this petition alleging that her

elder brother aged 52, was found missing from 10.9.2010; that a complaint was given to the first Respondent on 16.9.2010; and that a case was

registered for man missing in Crime No. 316/2010; but they have not yet secured him.

2. In response to the above, it is contended by the learned Additional Public Prosecutor that the enquiry revealed that she is the younger sister of

the detenu; that she is 48 and he is 52; that he has already got married; that the second Respondent is his wife; that the third Respondent is the son

of the detenu; that originally, he filed HMOP No. 25 of 2004 for divorce, and the same was also ordered in his favour; that apart from that, the

second Respondent filed a maintenance case seeking maintenance from her husband, the detenu, and the same is also pending; that under the

circumstances, on the complaint given by the Petitioner, a case has been registered, and now the investigation is pending.

3. After looking into the averments made and also the submissions made on either side, it would be quite evident that there was a strained

relationship in the matrimony, and the detenu was missing. The second Respondent has also filed a maintenance case against the divorced husband.

In such circumstances, this Court is of the considered opinion that instead of keeping the petition pending, it would be fit and proper to issue a

direction to the first Respondent 3 police to investigate the case proper, secure him and produce before the concerned Court. Accordingly, a

direction is issued, and this petition is disposed of.