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*HCP.No.2693 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No. 2693 of 2025

Anbarasi  
W/o.Murugan

... Petitioner/  
Sister of the detenu

Versus

1. The Superintendent of Police,  
Office of the District Superintendent of Police,  
Namakkal District, Tamil Nadu.
2. The State rep.by  
The Inspector of Police,  
Veppadai Police Station,  
Namakkal District.

... Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus, direct the 2<sup>nd</sup> respondent herein to produce the body and person of the petitioner's brother namely



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Manikandan, S/o.Subramani, aged about 23 years, before this Court and set him at liberty.

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For Petitioner : Mr.D.Arun

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor  
assisted by Mr.M.Karthikeyan

### **ORDER**

**(Order of the Court was made by P.VELMURUGAN J.)**

This Court, by order dated 29.01.2026, directed the respondents-Police to expedite the investigation and trace the whereabouts of the detenu viz., Manikandan, S/o.Subramani, aged about 23 years, and one Resmitha, aged about 17 years, at the earliest, and directed the matter to be listed before this Court.

2. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents-Police submitted that a Special Team has been constituted to secure both Manikandan and Resmitha. He further submitted that the sister of the detenu, who allegedly assisted the detenu in taking away the said Resmitha along with him, has



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been arrested. Further, the detenu's uncle and friends have also been arrested, and investigation is in progress. The Special Team will trace both Manikandan and Resmitha at the earliest. He further submitted that a case in Crime No.291 of 2025, originally registered for "Girl Missing" on the complaint lodged by the parents of Resmitha, has since been altered to offences under Sections 87, 137(2) and 49 of Bharatiya Nyaya Sanhita, and the same is under investigation.

3. In view of the above submission and considering the fact that Crime No.291 of 2025 has already been registered in connection with the alleged illegal detention of Resmitha by Manikandan, and that investigation is in progress, this Court finds that no case of illegal detention of the petitioner's brother Manikandan, is made out so as to warrant interference under Article 226 of the Constitution of India. This Court is of the view that the present Habeas Corpus Petition has been filed without any material to substantiate the allegation of illegal detention and appears to have been filed in an attempt to divert the course of investigation. Hence, this Court holds that the petitioner has not approached this Court with clean hands. Accordingly, this Habeas Corpus Petition is dismissed. However, the second



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respondent-Police is directed to expedite the investigation in Crime No.291

of 2025 and take all necessary steps to trace both Manikandan and Resmitha at the earliest and produce them before the jurisdictional Court or file a charge sheet, as the case may be in accordance with law.

**[P.V.,J.]                      [M.J.R.,J.]**  
16.02.2026

Index: Yes/No  
Neutral Citation: Yes/No  
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To

1. The Superintendent of Police,  
Office of the District Superintendent of Police,  
Namakkal District, Tamil Nadu.
2. The Inspector of Police,  
Veppadai Police Station,  
Namakkal District.
3. The Public Prosecutor  
High Court, Madras.



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