



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.630 of 2015

Muthuraja

.. Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Cantonment Police Station,
Tiruchirappalli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents land 2 to produce the detenu or her corpus namely Ranjini, W/o.Muthuraja, aged about 23 years and petitioner's son namely, Aswin, S/o.Muthuraja, aged about 1½ years before this Court and set them at liberty forthwith.

For Petitioner : Mr.M.Karunanithi of M/s.K.J.Associates

For Respondents : Mr.T.Mohan

Additional Public Prosecutor.

O R D E R

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner claims to be the husband of one Mrs. Ranjani, and father of one Aswin. Mrs.Ranjani is aged 23 years and Aswin is aged about 1 ½ years. On the allegation that Mrs.Ranjini has been found missing along with the child from 19.04.2015, he has come up with this Habeas Corpus Petition. On a complaint made by him, a case was also registered in Crime No.325 of 2015 for 'woman missing' and the same is under investigation.

2. Today, Mrs.Ranjani and her son Aswin has been produced by the second respondent. The petitioner is also present. Mrs.Ranjani would state that when she was studying B.Sc. Nursing Course, she had fallen in love with one Mr.Sathish Kumar. Out of the said love affair, she states that they married at Samayapuram Temple. Out of the said wedlock, according to her, she became pregnant. But, still she continued the education in the college. Since her abdomen was abnormal, the college authorities suspected about her health and informed the mother of Mrs.Ranjani. She has further stated that on such information, her mother came to the college and took back her daughter. On examining her, the doctor revealed that Mrs.Ranjani was eight months pregnant. Thereafter, her mother and other family members took her and left her at the house of the petitioner. The petitioner is none other than her paternal aunt's son. After the child was born, according to Mrs.Ranjani, the petitioner married her again. But now, according to Mrs.Ranjani, she has again



joined Mr.Sathish Kumar and she has been living with Mr.Sathish Kumar in Kerala. She further ascerts that the child Aswin was born only to Mr.Sathish and the petitioner is not the father.

3. From the above narration of facts, we find that there is some matrimonial dispute between the parties, which needs to be resolved only through the Civil Court. Now, Mrs.Ranjani wants to go back only to Mr.Sathish Kumar, along with the child. We permit her to do so. Since there is no illegal detention, there is no scope to pass any direction as prayed for in the Habeas Corpus Petition. Accordingly this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Trichy City, Trichy.
- 2.The Inspector of Police,
Cantonment Police Station,
Tiruchirappalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P (MD) No.630 of 2015
08.09.2015

pjl/smn

NS/JGB-DP/22.09.2015 : 2P/4C