



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.939 of 2014

Muneeswari @ Easwari

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai City, Madurai.

2. The State of Tamil Nadu rep. by
the Inspector of Police,
Taluk Police Station,
Usilampatti,
Madurai District.

3. Angalai

4. Alagammal

5. Vanitha

6. Vinoth Kanna

7. Vimal Kanna

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of detenu namely Rajesh Kanna, S/o. Angalai, aged about 33 years from illegal detention of the respondents 3 to 7 and set him at liberty.

For Petitioner

: Mr. P. Senguttuarasan

For Respondents
1 & 2

: Mr. K. S. Duraipandian,
Addl. Public Prosecutor

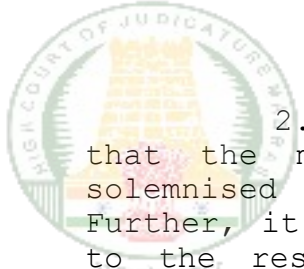
For respondents 3 to 7

: Mr. D. Srinivasa Raghavan

ORDER

(Order of the Court was made by V.S. RAVI, J.)

This is an application filed by the petitioner to direct the respondents 1 and 2 to produce her husband by name Rajeshkanna S/o. Angalai, aged about 33 years.



2. It is stated in the affidavit filed in support of the petition that the marriage between the petitioner and Rajeshkanna has been solemnised in the year 2009 and they lived together at Kuppanampatti. Further, it is stated in the affidavit that she already made a complaint to the respondents 1 and 2 on 25.05.2015, requesting them to take necessary action to find out her husband. Further, the petitioner herself has clearly admitted in the affidavit enclosed with the present petition that the earlier marriage solemnised with one Kalirajan and also the present petitioner has clearly admitted in the representation, dated 25.05.2015 that the said Rajeshkanna has taken care of her two children, as that of his children and a case has been filed in Crime No.20/2015, as against the said Rajeshkanna and his family members on 26.04.2015 under Sections 498-A, 294(b) and 506(i) IPC and Section 4 of the Dowry Prohibition Act. Further, it is reported on behalf of the 2nd respondent / Police that the second respondent already registered a case on the complaint of the petitioner and also conducting a detailed investigation in the matter. A perusal of the index of typed set of papers filed on behalf of the respondents 3 to 7 and the materials available on record, would go to show that the investigation has been taken in the right direction. Hence, it is seen that there is no need to pass further orders, at present stage, in this Habeas Corpus Petition.

3. In view of the above, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(Cr1.Side)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Taluk Police Station,
Usilampatti,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.939 of 2015
06.10.2015

AM/29.10.2015/NGM.SS/2P/4C