



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**  
and  
THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

**H.C.P(MD)No.1364 of 2016**

S.Sunitha .. Petitioner

Vs.

- 1.The Superintendent of Police,  
Thoothukudi District
- 2.The Deputy Superintendent of Police,  
Kovilpatti District,  
Thoothukudi.
- 3.The Inspector of police,  
Vanaramutti Police Station,  
Thoothukudi District.
- 4.Kanniyammal .. Respondents

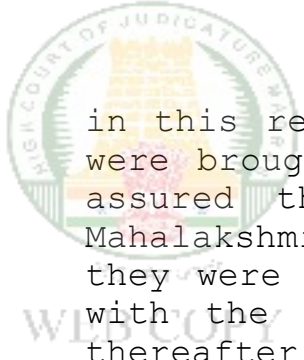
Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the 3rd Respondent herein to produce the person or corpus of the petitioner's husband namely Shankar S/o Karuppasamy aged about 24 years before this Honourable Court and set him at liberty.

For Petitioner : Mr.S.Sukumar  
For Respondents : Mr.A.Ramar  
Addl. Public Prosecutor

**ORDER**

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

The petitioner is the wife of one Mr.Shankar, S/o.Karuppasamy. The marriage between them was celebrated on 31.08.2014. Out of the said wedlock, the petitioner has become pregnant. While so, sometime before, her husband (hereinafter referred to as 'the detenu') eloped with one Mahalakshmi. The petitioner has made a complaint to the All Women Police Station,



in this regard, at Kovilpatti. Both Mahalakshmi and the detenu were brought to the police station and during talks, her husband assured that he would disconnect all his relationships with Mahalakshmi and live with the petitioner herein. Accordingly, they were sent back by the police. Thereafter, the detenu lived with the petitioner for two days. It is stated that 2 days thereafter, the said Mahalakshmi called the detenu over phone and threatened the detenu that if he did not talk to her, she will commit suicide. It is stated that again, he eloped with Mahalakshmi. The petitioner made a complaint to the police, upon which, a case has been registered in Crime No.246/2016 by the third respondent. Since her husband has not been secured, the petitioner is before this Court with this petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. From the averments made in the affidavit, it is crystal clear that the petitioner's husband eloped with one Mahalakshmi and it is not a case of any illegal detention, as this is the second occurrence and investigation is in progress.

4. In view of the same, no relief as sought for by the petitioner could be granted. Accordingly, this Habeas Corpus Petition is dismissed, however, with a direction to the 3<sup>rd</sup> respondent to expedite the investigation.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,  
Thoothukudi District

2.The Deputy Superintendent of Police,  
Kovilpatti District,  
Thoothukudi.

3.The Inspector of police,  
Vanaramutti Police Station,  
Thoothukudi District.

+1 cc to MR.S.SUKUMAR, Advocate SR.No.61156

**ORDER MADE IN**  
**H.C.P (MD) No.1364 of 2016**  
**17.10.2016**