



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBBIAH**

**AND**

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**H.C.P.[MD].No.1637 of 2016**

S.Padmasree

: Petitioner

Vs.

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

2.The Inspector of Police,  
All Women Police Station,  
Tallakulam,  
Madurai City.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the second respondent to produce the body or person of the petitioner's husband Senthil, S/o.Ramadoss, aged 35 years before this Court and set him at liberty forthwith.

For Petitioner

: Mr.M.Veilkani Raju

For Respondents

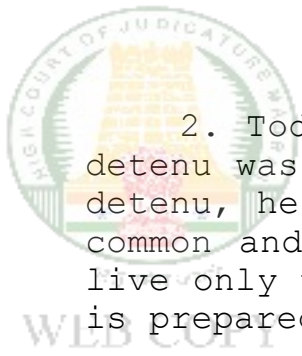
: Mr.K.S.Duraipandian  
Additional Public Prosecutor

**O R D E R**

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[Order of the Court was made by **R.SUBBIAH, J.**]

The petitioner is the wife of the detenu - Senthil, S/o.Ramadoss, aged about 35 years. She has filed the present Habeas Corpus Petition stating that she belongs to Scheduled Tribe Community. Her marriage with the detenu was an arranged one. Due to wedlock, three female children were born. The detenu used to beat her in the drunken mood. While so, she came to know that he is having illicit intimacy with one Mangayarkarasi and from 12.11.2016 onwards, both of them were found missing. Hence, she lodged a complaint on 15.11.2016. Since no effective steps were taken to trace out the detenu, she is before this Court with the present petition.



2. Today, when the matter was taken up for consideration, the detenu was produced by the second respondent. When we enquired the detenu, he replied that in their Community, the second marriage is common and he is very much adamant in his statement that he will live only with the said Mangayarkarasi. He has also stated that he is prepared to live with the petitioner also.

3. Recording the submission made by the detenu, this Habeas Corpus Petition is closed, however, with a direction to the second respondent to proceed with the investigation, based on the complaint lodged by the petitioner, in accordance with law. The petitioner is also at liberty to work out her remedy by initiating appropriate proceedings against the detenu.

Sd/-  
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

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

2.The Inspector of Police,  
All Women Police Station,  
Tallakulam,  
Madurai City.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 cc to MR. VEILKANI RAJ, ADVOCATE, SR NO:82384

SML

sva/10.01.2017/2p/5c

Order made in  
H.C.P.[MD].No.1637 of 2016  
Dated: 19.12.2016