

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.2667 of 2016

P. Bharathi

.. Petitioner

vs

State by:

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Parangipettai Police Station,
Cuddalore District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents to cause the production of the body and person of Petitioner's wife Ragasudha, aged 26 years, before this court set her at liberty.

For Petitioner : Mr.G. Mohanakrishnan
For Respondent : Mr.V.M.R. Rajentren,
Additional Public Prosecutor

ORDER

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

The Petitioner is the husband of one Mrs.Ragasudha, aged 26 years. The marriage between them was celebrated on 24.08.2007. Out of the said wedlock, they have got no child. According to the petitioner, Mrs.Ragasudha, has been found missing from 01.06.2016 onwards. He has made a complaint in this regard to the second respondent on 18.06.2016 and on the basis of the same, a case in Crime No.185 of 2016 has also been registered. Since, the detainee has not been secured so far by the respondent Police, the petitioner is before this Court with this Habeas Corpus Petition.

2.Today, when the Habeas Corpus Petition came up for hearing, the petitioner did not make appearance. The learned counsel for the petitioner is present. The detenue was produced before this Court by the respondent Police. The detenue told us that the petitioner was harassing her. Due to domestic quarrel on account of the fact that there is no child born out of the marriage and unable to bear the torture, she went out of the matrimonial house. She further told us that she does not want to go back along with her husband to resume the matrimonial life. She wants to settle the matrimonial dispute before the Civil Court. Since, there are no illegal detention, we are unable to grant the relief as sought for by the petitioner.

3.In the result, the Habeas Corpus Petition is dismissed leaving it open for the parties to work out their remedies before the Civil Court.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

jbm/rkp

To

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Parangipettai Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Chennai.

सत्यमेव जयते

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