



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2017

CORAM:

**THE HONOURABLE MR. JUSTICE S. NAGAMUTHU
AND
THE HONOURABLE MR. JUSTICE P. N. PRAKASH**

H.C.P. [MD] .No.534 of 2017

Muthulakshmi

: Petitioner

Vs.

1. The Superintendent of Police,
Pudukottai District.

2. The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

3. Malar

4. Dharmaraj

5. Raja

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 & 2 to produce the body or person of the detenu Savarimuthu, S/o. Nagaraj, aged 26 years before this Court and set him at liberty.

For Petitioner : Mr. N. Balakrishnan

For Respondents 1&2 : Mr. T. Mohan,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by P. N. PRAKASH, J.]

It is the case of the petitioner that her husband-Savarimuthu is in the custody of the respondents 3 to 5, who are none other than the mother and brothers of Savarimuthu.

2. In the considered opinion of this Court, a Writ of Habeas Corpus is not maintainable, in view of the fact that Savarimuthu is a minor and is said to be living with his mother and if there is any cause of action for the petitioner, it is open to her to



approach the Matrimonial Court, if so advised.

3. The Habeas Corpus Petition is dismissed with the above observation.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

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

+1cc to Mr.N.BALAKRISHNAN Advocate in SR. No.54011

SML

JS/SV.MMS/2P-5C/5.05.2017

ORDER MADE IN
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