



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM
AND
THE HONOURABLE MR. JUSTICE P. VELMURUGAN

H.C.P. [MD] .No. 473 of 2017

Jeyakodi

: Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District
Collectorate Campus, Ramanathapuram.

2. The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

3. The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.

4. Kamala

5. Varadharajan

6. Gangadharan

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the husband of the petitioner, namely, Nagaraj, S/o. Muthiah, aged about 62 years, the detenu, who may be under the illegal custody of the 4th and 6th respondents and their henchmen and produce him before this Court and set him at liberty.

For Petitioner

: Mr. R. Murugan

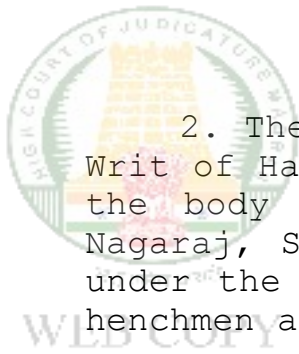
For Respondents 1 to 3 : Mr. T. Mohan

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **T.S. SIVAGNANAM, J.**]

Heard the learned counsel for the petitioner and the learned
<https://hcservices.ecourts.gov.in/hcservices/>
Additional Public Prosecutor appearing for the respondents 1 to 3.



2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the husband of the petitioner, namely, Nagaraj, S/o.Muthiah, aged about 62 years, the detenu, who may be under the illegal custody of the 4th and 6th respondents and their henchmen and produce him before this Court and set him at liberty.

3. The petitioner, who claims to be the second wife of the detenu, has stated that the first wife, namely, the fourth respondent herein, has illegally confined her husband and he has been beaten.

4. In the given facts and circumstances of the case, we do not find any illegal detention, as the fourth respondent is the legally wedded wife of the detenu and therefore, if the petitioner seeks to exercise her rights by virtue of alleged second marriage, her remedy is before appropriate forum. This Habeas Corpus Petition is misconceived and therefore, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Ramanathapuram District
Collectorate Campus, Ramanathapuram.

2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

3.The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.

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

NB/DSK

VB/SV/SAR2/13.04.2017/2P/5C

ORDER MADE IN
H.C.P. [MD] .No.473 of 2017
03.04.2017