



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
and  
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

H.C.P.(MD) No.630 of 2017

P.Nandhakumar

... Petitioner

-vs-

1.The Superintendent of Police  
O/o. Superintendent of Police  
Pudukkottai, Pudukkottai District

2.The Inspector of Police  
Mathur Police Station  
Pudukkottai District

3.Marimuthu

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the body or person of the detainee, the petitioner's wife namely Mrs.Anitha D/o.Marimuthu, aged about 21 years, before this Court and set her at liberty.

For Petitioner : Mr.K..G.Arunkumar

For Respondents : Mr.T.Mohan  
Addl. Public Prosecutor for R1 & R2

O R D E R

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

Heard Mr.K.G.Arunkumar, learned counsel appearing for the petitioner and Mr.T.Mohan, learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. The petitioner has filed this Habeas Corpus Petition seeking direction upon the respondents 1 and 2 to produce his wife, namely, Anitha, aged about 21 years, before this Court and set her at liberty.



3. The petitioner claims to have married the detenue, namely, Anitha, who is aged about 21 years and relies upon the Certificate of Marriage, dated 06.03.2017. The third respondent is none other than the father of the detenue. If the petitioner seeks for enforcing of his rights as husband, his remedy is before the Family Court and not before this Court by way of Habeas Corpus Petition.

4. Accordingly, the habeas corpus petition is dismissed.

Sd/-

ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1. The Superintendent of Police,  
O/o. Superintendent of Police,  
Pudukkottai, Pudukkottai District.
2. The Inspector of Police,  
Mathur Police Station,  
Pudukkottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Skm/krk

MAS/RSK/SAR4:18.05.2017:2P-4C

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