



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2017

CORAM:

**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND**

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

H.C.P(MD)No.901 of 2017

Janibarani

... Petitioner

Vs.

1.State represented by
The Commissioner of Police,
Madurai City,
Madurai.

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

3.Balakrishnan

4.Jeyarani

5.Arulprakash

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's husband, namely, Sivasankar, son of Balakrishnan, aged 35 years before this Court and set him at liberty.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.T.Mohan

Additional Public Prosecutor for R.1 & R.2

Mrs.Samundi Bose for detenu

* * * *

ORDER

(Order of the Court was made by The Hon'ble The Chief Justice)

This writ petition has been filed seeking a writ of Habeas Corpus for production of Sivasankar, son of Balakrishnan, aged about 35 years, who is the husband of the petitioner.

2. The said Sivasankar is present in Court. It is submitted on his behalf that there is a marital dispute between the petitioner and her husband, for which, the petitioner has left his home and is residing elsewhere.



3. Whether the conduct of the petitioner's husband is justified or not, is not a matter to be adjudicated in a writ petition seeking a writ of Habeas Corpus.

4. This writ petition is thoroughly misconceived and in abuse of process of this Court. The remedy, if any, of the petitioner lies in initiation of appropriate proceedings in the civil Court/Family Court.

5. This writ petition is, therefore, dismissed.

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.

+1cc to M/s.Chamundi Bose,Advocate,SR.No.61499

ORDER MADE IN
H.C.P (MD) No.901 of 2017
21.06.2017

RSB

KK/KP/SAR4/27.06.2017/2P-5C