



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.08.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

H.C.P. (MD) .No.340 of 2021

Cap. Mrs.P.Deepa ... Petitioner/Wife of the detenu

-vs-

1. Commissioner of Police,
Alagar Koil Road, Pudhur, Madurai - 625 002.
 2. The Inspector of Police,
Avaniapuram Police Station,
Avaniapuram,
Madurai. .
 3. The Superintendent of Police,
Kanyakumari, Kanyakumari District.
 4. Inspector of Police,
Boothapandy Police Station,
Boothapandy, Kanyakumari District.
 5. T.Pauldhass
 6. Leela Kumari
 7. Vajila
 8. Milton
- ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the corpus or body of the petitioner's husband, the detenu, namely D.Reagan, S/o.Durairaj, aged about 38 years before this Court.

For Petitioner	:	Mr.B.A.Muruganantham
For R-1 to R-4	:	Mr.S.Ravi
		Standing counsel for the State
For R-5 to R-7	:	Mr.B.Senthilkumar



O R D E R

(Order of the Court was made by V. BHARATHIDASAN, J.)

Alleging that the petitioner's husband by name D.Reagan, S/o.Durairaj, aged about 38 years, was found missing from January, 2018 and he was illegally detained by the respondents 5 to 7, the petitioner has filed the present Habeas Corpus Petition.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions would submit that both the petitioner and the detenu got divorced long back, living separately and the detenu is living with his family and there is no illegal detention.

3. The detenu appears before this Court today. We have enquired the detenu, he has stated that the divorce petition filed by the petitioner in the year 2015 has been decreed and divorce was granted, thereafter both the petitioner and the detenu are living separately. Subsequently, the detenu married another lady in the year 2019 and got a child and he is living with his family now, he is not illegally detained by anybody. In order to wreak vengeance, the present Habeas Corpus Petition has been filed.

4. The statement made by the detenu is recorded. Considering the fact that the detenu is not illegally detained as alleged by the petitioner, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.Commissioner of Police,
Alagar Koil Road, Pudhur, Madurai - 625 002.

2.The Inspector of Police,
Avaniapuram Police Station, Avaniapuram, Madurai.



3.The Superintendent of Police,
Kanyakumari, Kanyakumari District.

4.Inspector of Police,
Boothapandy Police Station, Boothapandy, Kanyakumari District.

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

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GC (17.08.2021) 3P 6C