



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.343 of 2021

R.Senthil Kumar ... Petitioner/Father of the detenu

-vs-

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

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

3.Meikandan ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body and person of the Petitioner's children Rithish Kumar, son of Senthil Kumar, aged 12 years, Ramkumar, son of Senthil Kumar, aged 11 years and Yoga Indira, daughter of Senthil Kumar, aged 9 years before this Court and set them at liberty and hand over the custody to the Petitioner.

For Petitioner :Mr.R.Venkatesan

For Respondents :Mr.K.K.Ramakrishnan
1 and 2 Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The Petitioner has come forward with this Habeas Corpus Petition for a direction to the respondents to produce his children Rithish Kumar, aged 12 years, Ramkumar, aged 11 years and Yoga Indira, aged 9 years before this Court and set them at liberty.



2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The Petitioner would state that he married one Belsa Rani on 29.11.2001 at Arulmighu Valividu Murugan Temple, Ramanathapuram and blessed with three children as stated supra. It is alleged that his wife had illicit intimacy with the third respondent and thereafter, she was found missing from September 2020. In this regard, he lodged a complaint to the second respondent on 02.10.2020. But no action was taken to secure them and hence the Petitioner has filed the present Habeas Corpus Petition.

4. Mr. K. K. Ramakrishnan, learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would state that during investigation, the Petitioner's wife was enquired into by the second respondent in the presence of the Petitioner. She has categorically stated that she is not willing to go with the Petitioner and she has further stated that she is presently residing with the third respondent/Meikandan. The Petitioner also has given a statement stating that he is ready to approach the Civil Court for his remedy. The Statement of the detainee as well as the Petitioner is produced before this Court and perused.

5. In view of the above facts, this Court finds no merit in the Habeas Corpus Petition and accordingly, the same stands dismissed, with liberty to the Petitioner to approach the competent Civil Court for his remedy.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

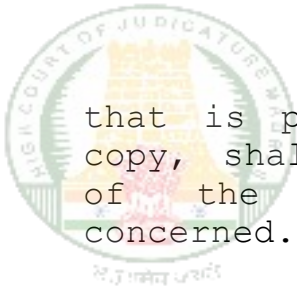
Sub Assistant Registrar (CS)

vsn

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To:

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Ramanathapuram.
- 2.The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.343 of 2021
17.04.2021

KM(24.05.2021) 3P 4C