



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM:

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

H.C.P. (MD) No.555 of 2021

R.Murugan ... Petitioner/Father of the detenu
Vs.

1.The Commissioner of Police,
O/o. Commissioner of Police,
Azhagarkoil Road,
Madurai 625 002.

2.The Inspector of Police,
Theppakulam Police Station,
Madurai 625 009.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents herein to produce the body or person of the petitioner's wife and minor daughter namely, Rajeswari (aged 22 years) and Minor Dhanusri (aged about 3 years), before this Court and set them at liberty.

For Petitioner : Mr.G.Thalaimutharasu

For R1 and R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition has been filed for a direction to the respondents to produce the petitioner's wife viz., Rajeswari, aged about 22 years and minor daughter viz., Dhanusri, aged about 3 years, before this Court and set them at liberty.



2. The petitioner would state that he married the first detenu in the year 2017 and they were blessed with a female child Dhanusri.

3. It is alleged that on 05.11.2020, the first detenu along with her daughter left the matrimonial home to her parent house at Cumbum. But subsequently, she was not returned back. The petitioner lodged a complaint with the second respondent on 10.02.2021 and also sent a representation to the first respondent. Since no action was taken to secure the detenu, the present Habeas Corpus Petition.

4. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor, on instructions from the second respondent would state that the petitioner's wife is residing with her mother.

5. In the light of the above facts and the submission of the learned Additional Public Prosecutor, we find no merit in this habeas corpus petition and the same is dismissed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

1.The Commissioner of Police,
O/o. Commissioner of Police,
Azhagarkoil Road, Madurai 625 002.

2.The Inspector of Police,
Theppakulam Police Station,
Madurai 625 009.

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

ORDER MADE IN
H.C.P. (MD) No.555 of 2021
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KM (17.05.2021) 2P 4C

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