



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM:

WEB COPY

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

H.C.P. (MD) No.544 of 2021

Thanuja ... Petitioner

Vs.

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

2.The Inspector of Police,
Woraiyur Police Station,
Trichy District.

3.Chithra ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to secure the detenu and produce the person or body of the detenu Santhanam @ Pandian, S/o. Chellappa, aged about 39 years from the illegal custody of the third respondent before this Court and set him at liberty.

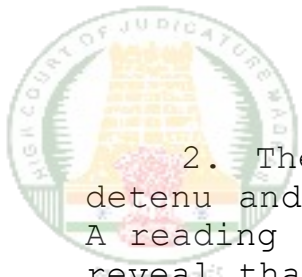
For Petitioner : Mr.T.Lenin Kumar

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 seeking direction to the respondents 1 and 2 to secure the petitioner's husband viz., Santhanam @ Pandian, S/o. Chellappa, aged about 39 years from the illegal custody of the third respondent before this Court and set him at liberty.



2. The petitioner would claim that she is the wife of the detenu and the marriage between them was performed on 21.10.2018. A reading of the affidavit filed in support of this petition would reveal that in view of matrimonial dispute between the petitioner and the detenu, they are living separately from 05.08.2019. A complaint was lodged with the second respondent and the same was registered in Crime No.134 of 2021, on 02.02.2021, under man missing.

3. In the light of the fact that there is a matrimonial dispute between the petitioner and the detenu and the case was registered only on 02.02.2021, we are not entertaining this habeas corpus petition. However, we direct the second respondent to speed up the investigation in Crime No.134 of 2021 and secure the detenu at the earliest.

4. With the above observations, the Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar(CS)

akv

To

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

2.The Inspector of Police,
Woraiyur Police Station,
Trichy District.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-16103[F] dated
16/04/2021)

ORDER MADE IN
H.C.P. (MD) No.544 of 2021
15.04.2021

KUN(CO)

TR(23.04.2021) 2P 5C