



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.656 of 2021

A.Mayandi

... Petitioner/Husband of the detenu

-vs-

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

2.The Inspector of Police,
Thirupachetti Police Station,
Thirupachetti,
Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to secure the detenu and to produce in person or body of the detenu viz., Nagajothi, wife of Mayandi, aged about 35 years, before this Court and set her at liberty.

For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.S.Ravi
Standing counsel for Government

O R D E R

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

The prayer in the habeas corpus petition is to direct the respondents to produce the petitioner's wife viz., Nagajothi, aged about 35 years, before this Court and set her at liberty.

2. It is alleged by the petitioner that his wife Nagajothi is missing in the month of February 2021 and hence, he lodged a complaint with the second respondent.

3. The detenu appeared before this Court today from the Public Prosecutor Office. It is submitted by the learned counsel for the



petitioner that the detenu has eloped with some other person and hence, the petitioner is not ready for re-union with the detenu. However, the habeas corpus petition has been filed to know whether she is alive or not.

4. It is unfortunate that this type of habeas corpus petition has been filed, when the husband was not willing to live with his wife. The reason given by the learned counsel for the petitioner cannot be countenanced. Hence, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

akv

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.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Thirupachetti Police Station,
Thirupachetti,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.656 of 2021

29.06.2021

CN(09.07.2021) 2P 4C

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