



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

H.C.P. (MD) No.764 of 2021

P.Bharathkosimin

... Petitioner

-VS-

1.The Commissioner of Police,
Madurai.

2.The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus to direct the respondents 1 and 2 to secure the petitioner's wife, by name, Bavani, aged about 36 years and produce her body or in person before this Court and set her at liberty.

For Petitioner :Mr.S.Bharathi

For Respondents :Mr.S.Ravi

Standing Counsel for Tamil Nadu Government

O R D E R

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

The prayer in this Habeas Corpus Petition is to direct the respondents to secure the petitioner's wife, by name, Bavani, aged about 36 years and produce her before this Court and set her at liberty.

2.The petitioner would claim that he married the detainee about 18 years ago and they are blessed with two children, namely, Arundhathi and Thevapriyan, who are studying +2 and 7th Standard respectively. He would further state on 06.09.2020, his wife, the detainee pledged the jewels without his knowledge and when it was questioned, a wordy quarrel arose between them and thereafter, on 07.09.2020, she was found missing. Hence, he lodged a complaint with the police on 08.09.2020. Though a case was registered



in Crime No.143 of 2020 under caption for 'Women Missing, but no action was taken to secure the detainee. Hence, the present habeas corpus petition has been filed.

3.When the matter is taken up for hearing today, the petitioner, the detainee and her brother Uathasundar appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detainee would state that due to family quarrel, she left the matrimonial home on her own volition and presently, she is working at Tiruppur. The detainee further stated that she is not being detained by any one.

4.In the light of the statement of the detainee, we find no merit in this case. Hence, the habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS I)

// 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.The Commissioner of Police,
Madurai.
- 2.The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AS (10.06.2021) 3P 4C