



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.933 of 2021

WEB COPY

K.Velmurugan

...Petitioner/Husband of the detenu

-vs-

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

2.The Inspector of Police,
Sathur Taluk Police Station,
Sadayampatti,
Virudhunagar District.

3.Murugan

... 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 bboy of the Petitioner's wife namely, Saktheeswari, daughter of Mariappan, wife of Velmurugan, aged 35 years, before this Court, illegally detained by the third respondent and set her at liberty forthwith on the basis of the Petitioner's representation, dated 24.06.2021.

For Petitioner : Mr.M.Sankar

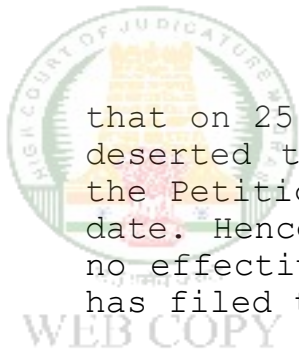
For Respondents : Mr.S.Ravi
1 and 2 Standing Counsel for the State

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 seeking for a direction to the respondents 1 and 2 to secure the Petitioner's wife namely, Saktheeswari, aged 35 years before this Court, who is illegally detained by the third respondent and set her at liberty based on his representation, dated 24.06.2021.

2.The Petitioner is the husband of the detenu. The marriage between them was solemnized on 16.09.2013. Out of their wedlock, they were blessed with three children. The Petitioner would state



that on 25.2.2021, misunderstanding arose between them and hence she deserted the house and thereafter on 12.6.2021, she re-unite with the Petitioner. But subsequently, she had left the house on the same date. Hence he lodged a complaint with the respondent Police. Since no effective steps were taken to secure the accused, the Petitioner has filed this Habeas Corpus Petition.

3.When the matter came up for admission today, the detainee was produced by the second respondent through video-conferencing. On enquiry, she would state that the Petitioner is suspecting her fidelity and also harassing her mentally and physically. It is further stated that she was sent out from the matrimonial home and hence, she lodged a complaint with All Women Police Station, Sathur and the same was enquired in C.S.R.No.58 of 2021. She would further state that she is living away from the Petitioner for the past 5 to 6 months.

4.A perusal of the affidavit of the Petitioner would show that the complaint preferred by the detainee to All Women Police Station, Sathur on 25.2.2021 was deliberately suppressed. That apart, considering the statement of the detainee, we find no merit in the Habeas Corpus Petition.

5.Accordingly, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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,
Virudhunagar District,
Virudhunagar.



2.The Inspector of Police,
Sathur Taluk Police Station,
Sadayampatti,
Virudhunagar District.

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

H.C.P. (MD) No.933 of 2021
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