



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM:

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

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.964 of 2021

I.Marimuthu

... Petitioner/Husband of the detenu

-vs-

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

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, to direct the respondents to produce the body or person of the detenu, the petitioner's wife namely Kanimozhi, W/o.Marimuthu, aged about 21 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Balamuruganantham

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

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., Kanimozhi, aged about 21 years, before this Court and set her at liberty.

2. The petitioner would claim that the detenu is his wife and the marriage was solemnised on 24.02.2021, as per the Hindu Rites and Customs. The detenu is none other than his maternal uncle's daughter. While so, she is found missing from 21.06.2021. Immediately, he lodged a complaint with the second respondent and he was issued with C.S.R.No.363 of 2021. But no action has been taken to secure the detenu and hence, the present petition.



3. We have heard Mr.R.Balamuruganantham, learned counsel appearing for the petitioner, Mr.S.Ravi, learned Standing counsel appearing for the respondents and perused the materials available on record.

4. On instructions, Mr.S.Ravi, learned Standing counsel appearing for the State would submit that when the detenu left the matrimonial house of the petitioner, she has left a letter stating that she is not willing to live with the petitioner. It is further submitted that after receiving a complaint from the petitioner, the second respondent has initiated action to secure the detenu and the investigation is on.

5. In the light of the facts and circumstances and the submissions made by the learned counsels, the Habeas Corpus Petition is closed. However, the second respondent is hereby directed to speed up the investigation in C.S.R.No.363 of 2021 to secure the detenu at the earliest.

Sd/-

Assistant Registrar (CS II)

// 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,
District Police Office,
Sivagangai District,
Sivagangai.

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

Copy to

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

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RC (19.07.2021) 2P-4C