



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.982 of 2021

WEB COPY

Marimuthu

... Petitioner

-vs-

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

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the first and second respondents to produce the detainee namely Aarthi (age 21 years) before this Court and to set the detainee at her liberty.

For Petitioner : Mr.B.Bagawathi

For Respondents : Mr.S.Ravi

Standing Counsel for Tamil Nadu Government

O R D E R

[Order of the Court was made by B.PUGALENDHI, J.]

This habeas corpus petition has been filed for a direction to the respondents to produce the detainee, by name, Aarthi, aged about 21 years before this Court and set her at liberty.

2.The petitioner is the husband of the detainee. It is his case that he married the detainee in the year 2018. Due to wedlock, they were blessed with a girl child on 10.06.2019. On 19.04.2021, his wife is found missing. Hence, he lodged a complaint with the second respondent. Since no effective steps were taken to secure the detainee, the present petition has been filed.

3.When the matter is taken up for hearing today, the petitioner as well as the detainee appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, she would state that she is willing to go with her husband, the petitioner herein. But the petitioner would state that he is not willing to take the detainee. He would further state that the detainee is having illicit intimacy with another person.

4.In view of the above fact, we find that there is some



misunderstanding between the petitioner and the detenue and she is not illegally detained by any body. Hence, we are of the opinion that no further adjudication is required in this habeas corpus petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (T&P)

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/ /2021

Sub Assistant Registrar(CS)

Skn

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

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RD(11.08.2021) 2P 4C