



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.1101 of 2020

Rathidevi ... Petitioner/Wife of the detenue
-vs-

1.The Superintendent of Police,
Ramnad District.

2.The Inspector of Police,
Eruvadi Police Station,
Ramnad District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the body or person of the detenu namely Rajapandi, S/o.Sakthi, aged about 38 years, produce him before this Court and set him at liberty.

For Petitioner : Mr.D.Venkatesh
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

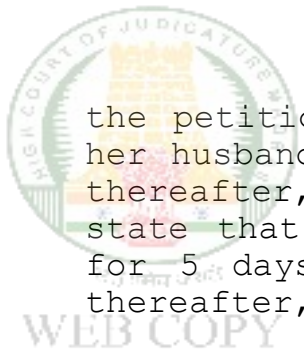
O R D E R

[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 husband, namely, Rajapandi, aged about 38 years, before this Court and set him at liberty.

2.The petitioner would state that she was married the detenu Rajapandi on 10.04.2018. After the marriage, they started to live at Pudu Mayakulam Village and there is no issues. Thereafter, the detenu went for job to Tiruppur and during COVID-19 period, he came back and he was working at Sikkal and theafter, on 24.08.2020 at about 10.00 a.m., he went to Ramnad, but he did not come back and hence, she lodged a complaint on 22.10.2020. Since no action was taken, the present habeas corpus petition has been filed.

3. Today, when the matter was taken up for hearing, the petitioner and the detenu appeared before this Court. On enquiry,



the petitioner would state that after the marriage, she lived with her husband and thereafter, he brought her to the parents house and thereafter, he did not join with the petitioner. The detinue would state that after the marriage, the petitioner lived with him only for 5 days and they were in talking terms for three months and thereafter, both were living separately.

4. It appears that due to matrimonial dispute, the detinue is living away from the petitioner for more than two years. Therefore, we find no merits in the habeas corpus petition. In fine, this petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

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/ /2021

Sub Assistant Registrar(CS)

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Note :

(ii) 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,
Ramnad District.

2.The Inspector of Police,
Eruvadi Police Station,
Ramnad District.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-11696[F] dated 17/03/2021)

H.C.P. (MD) No.1101 of 2020
16.03.2021

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TR(07.04.2021) 2P 5C

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