



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.10.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

H.C.P. (MD) .No.1607 of 2021

Mariya Susaiammal ... Petitioner/Wife of the Detenu
-vs-

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

2. The Inspector of Police,
All Women Police Station,
Alangulam.

3. Revathi Priya

4. Saravanan ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu and produce the person or the body of the petitioner's husband namely Chinnappan @ Rajan, S/o. Rajappan, aged about 45 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.M.Sankar

For R1& R2 : Mr.S.Ravi

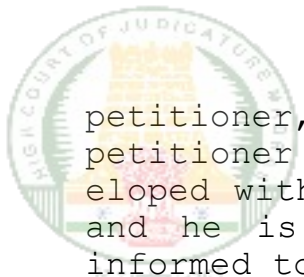
Additional Public Prosecutor

O R D E R

(Order of the Court was made by V. BHARATHIDASAN, J.)

Alleging that the petitioner's husband by name Chinnappan @ Rajan, aged about 45 years, was found missing from 27.12.2019, suspecting that he is illegally detained by the third respondent, the petitioner has given a complaint before the respondents police. But, so far no action has been taken to secure the detenu. Hence, the present Habeas Corpus Petition has been filed.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor appearing for the State, on instructions would submit that based on the complaint given by the



petitioner, an enquiry has been conducted and it was found that the petitioner is the second wife of the detenu and now, the detenu eloped with the third respondent and residing with her at Udumalpet and he is not illegally detained by her and the same was also informed to the petitioner.

3. Considering the fact that the detenu has eloped with the third respondent and there is no illegal detention as alleged by the petitioner, this petition is not maintainable. Hence, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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,
Tenkasi District,
Tenkasi.
- 2.The Inspector of Police,
All Women Police Station,
Alangulam.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ/NS(22.11.2021) 2P 4C