



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.1693 of 2021

Ramesh ... Petitioner / Husband of detenue
Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, directing the respondents to trace and produce the body or the person of the petitioner's wife Mrs.Libina D/o.Chelladurai, before this Court and set her at liberty.

For Petitioner : Mr.T.Wins

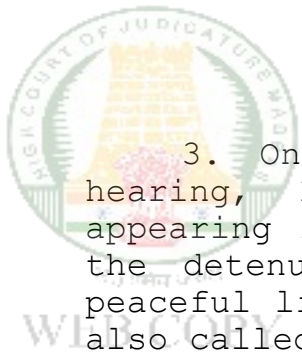
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

**S.VAIDYANATHAN, J.
and
DR.G. JAYACHANDRAN, J.**

This Habeas Corpus Petition has been filed praying to direct the respondents to trace and produce the body or person of the petitioner's wife Mrs.Libina D/o.Chelladurai, before this Court and set her at liberty.

2. The petitioner is the husband of the detenue / Libena. The petitioner has given a complaint stating that he has married the detenue / Libina on 23.05.2019 and she has been missing from



3. On earlier occasion, when the matter was taken up for hearing, Mr.S.Ravi, the learned Additional Public Prosecutor appearing for the State, on instructions, informed this Court that the detainee / Libina, has gone to Dubai and she is leading a peaceful life at Dubai. It is also stated that the petitioner has also called her and spoken to his wife.

4. Today, when the matter is taken up for hearing, the detainee Mrs.Libina, appeared through video call from Dubai. We have also spoken to her and clarified the doubts as to whether she is in illegal custody of anybody, for which, she submitted that since she secured a job in Dubai, she went there, on her own volition, and leading a peaceful life at Dubai. Since the detainee is not in illegal custody of anybody, as alleged by the petitioner / husband of the detainee, we are not inclined to entertain the Habeas Corpus Petition.

5. In the result, this Habeas Corpus Petition is dismissed. If there is any matrimonial disputes between the parties, it is for them to work out their remedy, before the appropriate forum.

Sd/-

Assistant Registrar(WRITS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

To

- 1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.1693 of 2021
17.11.2021

AC (CO)

TR/SKN(25.11.2021) 2P 4C

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