



HCP No.850 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2022

Coram:

The Honourable Mr. Justice **S.VAIDYANATHAN**
and
The Honourable Mr. Justice **A.D.JAGADISH CHANDIRA**

H.C.P.No.850 of 2022

P.Senthilraju

.. Petitioner

Vs.

1. The Superintendent of Police,
Salem.

2. The Deputy Superintendent of Police,
Salem.

3. The Inspector of Police,
Sankari Police Station,
Sankari Taluk, Salem District.

4. S.Ramesh

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents herein to produce the body of the detainee the petitioner's wife by name Anitha, aged about 32 years before this Court and to set her at liberty.

For Petitioner : Mr. C.Paraneedharan

For Respondents : Mr. M.Babu Muthumeeran
1-3 Additional Public Prosecutor



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ORDER
(Hearing was made through Hybrid mode)

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S.VAIDYANATHAN, J.,
and
A.D.JAGADISH CHANDIRA, J.,

This Habeas Corpus Petition has been filed by the petitioner husband seeking production of his wife Anitha, aged about 32 years, suspected to be in illegal custody of the fourth respondent.

2. It is the case of the petitioner that his wife developed a illicit relationship with the fourth respondent while she was working at Chennai Silks, Erode, and had eloped with the fourth respondent. It is the further case of the petitioner that he had lodged a complaint to the respondent police and it was taken on file in C.S.R. No.344 of 2021 dated 27.12.2021 and since no action has been taken to find the whereabouts of his wife, he had filed the present petition.

3. When the matter is taken up today, the third respondent has produced the alleged detenue before this Court. This Court inquired the alleged detenue. During enquiry she submitted that due to constant harassment of her husband,



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the petitioner herein, she had voluntarily left the matrimonial home. She further submitted that earlier she had left the matrimonial home on 20.12.2021 and thereafter she was brought back home and since the petitioner had continuously harassed her, she had once again had left the matrimonial home on her own and she is also taking steps to file a divorce petition against the petitioner. She also submitted that she is not in illegal detention of anybody.

4. On enquiring the alleged detainee, we are satisfied that the alleged detainee Anitha, aged about 32 years, wife of petitioner, is not in illegal detention of anybody. In view of the same, this Court is of the view that the Habeas Corpus Petition is not maintainable. Accordingly, the Habeas Corpus Petition is closed.

(S.V.N.,J.) (A.D.J.C.,J.)
07.07.2022

Index: Yes/No
bkn

S.VAIDYANATHAN, J.,



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and
A.D.JAGADISH CHANDIRA, J.,

bkn

To

1. The Superintendent of Police,
Salem.
2. The Deputy Superintendent of Police,
Salem.
3. The Inspector of Police,
Sankari Police Station,
Sankari Taluk, Salem District.
4. The Public Prosecutor,
High Court, Madras.

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