



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2022

CORAM:

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

H.C.P.(MD)No.45 of 2022

V.Malarmannan

... Petitioner /
Husband of the detenue

Vs.

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

2. The Inspector of Police,
Melur Police Station,
Maduria District.
(In Crime No.532/2021)

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the detenue, namely, Pandiselvi @ Brindha, wife of V.Malarmannan, aged about 34 years before this Court and set her at liberty.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

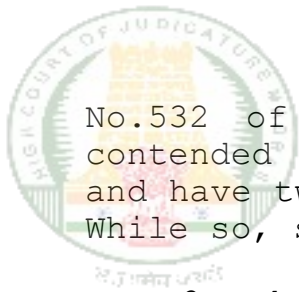
S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

[Order of the Court was made by **DR.G.JAYACHANDRAN, J.**]

The petitioner, who is the husband of one Pandiselvi @ Brindha, alleging that his wife was missing from home since 15.08.2021, has filed the present Habeas Corpus Petition after lodging a complaint before the second respondent police, which was registered as Crime



No.532 of 2021 under 'woman missing'. In the affidavit, it is contended that the petitioner married Pandiselvi in the year 2006 and have two children, one aged 13 years and another, aged 11 years. While so, suddenly she has gone missing.

2. The learned Additional Public Prosecutor would submit that the wife of the petitioner has eloped with one Manikandan, son of Asokan, who is her erstwhile lover. This is the second time she has eloped with him and the information received by the police indicates that she is living with the said Manikandan somewhere near Coimbatore.

3. The petitioner herein has suppressed the earlier episode of elopement, which was taken for investigation by the second respondent police in the month of August, 2020 in CSR No.1699 of 2020.

4. In the said circumstances, this Court is of the view that the petitioner has to work out his remedy before the appropriate forum and not trouble the police to bring back his estranged wife, who has eloped on her own.

5. With the above observation, this Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PJL

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 City,
Madurai.

2. The Inspector of Police,
Melur Police Station,
Maduria District.



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

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RK/CK(03/02/2022) 3P 4C