



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM:

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

H.C.P. (MD)No.97 of 2022

A.Thilagavathi ... Petitioner /
Wife of the Detenue

Vs.

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Atchampudur Police Station,
Atchampudur,
Tenkasi District.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the first and second respondents to produce the body or the person that the detenue, namely, Arumugasamy, son of Paramasivathevar, aged about 49 years before this Court and set him at liberty.

For Petitioner	: Mr.KR.Bharathi Kannan
For Respondents	: Mr.A.Thiruvadi Kumar Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

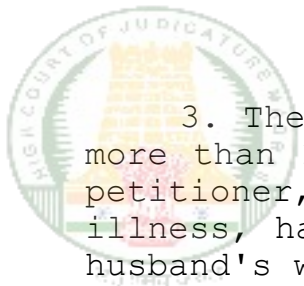
and

DR.G. JAYACHANDRAN, J.

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

The husband of the petitioner, who is mentally ill, has been deserted by the petitioner in the year 2008 and he is taken care by his brothers. However, alleging that the brothers are not sending her husband back, the present Habeas Corpus Petition is filed.

2. The husband of the petitioner been secured and produced before this Court through video conference by the learned Additional Public Prosecutor.



3. The husband of the petitioner is not mentally stable and for more than 13 years, he has been taken care by his brothers and the petitioner, who has left him when he was affected by serious mental illness, has come forward with the Habeas Corpus Petition as if her husband's whereabouts not known.

4. The fact reveals that the petitioner herein has deserted her husband citing his mental condition, who have share in the ancestral property, now has come forward with this Habeas Corpus Petition.

5. Since the husband of the petitioner is alive and he is under the care and custody of the brothers, this Court finds no reason to entertain this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

PJL

To

- 1.The Superintendent of Police,
Tenkasi District.
- 2.The Inspector of Police,
Atchampudur Police Station,
Atchampudur, Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD)No.97 of 2022
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