



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

H.C.P (MD) No.135 of 2022

Rajkumar ... Petitioner/Husband of the detenue
vs.

State rep. by,
1.The Superintendent of Police,
Thoothukudi District.
Thoothukudi.

2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Thoothukudi District.

3.Nataraja Kumar ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the person or body of detenue namely Deepa wife of Rajkumar, aged about 30 years before this Court and set her at liberty.

For Petitioner : Mr.M.Muthukumar

For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor

ORDER

**R.SUBRAMANIAN, J.
AND
N.SATHISH KUMAR, J.**

The detenue has been secured by the Police. It is seen from the records that the husband of the detenue is the petitioner. His complaint is that the detenue went missing on 20.10.2021. Though he lodged a complaint, the Police had not taken any action to secure her.



2. The Police have produced the detainee today. The petitioner / husband is also present. They have three children.

3. It is also seen from the records that the detainee is in the habit of leaving the matrimonial home. Even according to the complaint given by the husband, the detainee had left her matrimonial home on 23.07.2021 and a complaint was given on 24.07.2021 and she was secured on 26.07.2021. Again, she went missing on 19.08.2021 and she was secured on 23.08.2021. Again, for the third time, she left the matrimonial home on 19.10.2021 and she has been secured today.

4. In view of the above, it is seen that the detainee is in the habit of leaving the matrimonial home at her own wish. She also refused to go back to the matrimonial home, though the husband is ready and willing to take back her. Hence, we close this Habeas Corpus Petition.

5. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Inspector of Police,
Tiruchendur Taluk Police Station,
Thoothukudi District.

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

+1 CC to M/s.M.MUTHU KUMAR, Advocate (SR-5570[F] dated 11/02/2022)

ORDER MADE IN
H.C.P (MD) .No.135 of 2022
10.02.2022

PKP/25.02.2022/2P/5C

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