



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.159 of 2022

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Kannan

... Petitioner/husband of the 1st
detenue and Father of 2nd and 3rd detenues

.Vs.

1.State represented by

The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents to produce the petitioner's wife namely Saranya, W/o.Kannan, aged 28 years before this Court and set her at liberty and direct the respondents to produce the petitioner's daughters namely minor.Shobika, D/o.Kannan, aged 11 years and Minor.Lakshana, D/o.Kannan, aged 07 years before this Court and hand over their custody to the petitioner.

For Petitioner : Mr.K.Navaneetharaja
For R1 and R2 : Mr.A.Thiruvadikumar
Addl. Public Prosecutor.

O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks for production of the person of his wife Saranya and two daughters Minor Shobika and Minor Lakshana.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The learned Additional Public prosecutor, upon instructions, would submit that the detenues were secured and handed over to the petitioner on 06.03.2022. However, the wife of the petitioner viz., Saranya, left the matrimonial home on her own volition on 08.03.2022 after leaving the children with the petitioner.



4.The above facts would show that it is a case of elopement and not a case of illegal detention.

5.In view of the above, this Habeas Corpus Petition is dismissed

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Sd/-

Assistant Registrar (A/C's)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

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

H.C.P. (MD) No.159 of 2022
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AM(CO)

KB(17.03.2022) 2P 4C