



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.420 of 2022

R.Rajkumar

... Petitioner/Husband of the detenu

Vs.

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

2.The Deputy Superintendent of Police,
Ram Nagar,
Devakottai,
Sivagangai District.

3.The Inspector of Police,
Taluk Police Station,
Devakottai,
Sivagangai District.

4.Jeyaraj
5.Sasikala
6.Sureka
7.Karuppaiah
8.Jeyalakshmi
9.Elayaraja
10.Ajith
11.Balu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 to 3 to secure or produce the body or person of the detenu, namely, Sornalakshmi @ Suba, W/o.R.Rajkumar, Petitioner herein aged about 34 years from the illegal detention of the respondents 4 to 11 and their henchmen and set her at liberty.

For Petitioner	: Mr.A.Saravanan
For R-1 to R-3	: Mr.T.Senthil Kumar, Additional Public Prosecutor
For R-4 to R-11	: Mr.P.Muthusamy



O R D E R

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

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The petitioner who is the husband of the detinue, seeks production of the person of his wife Sornalakshmi @ Suba, aged about 34 years.

2. According to the petitioner, the detinue has been illegally detained by respondents 4 to 11. According to him, when he returned to India on 06.01.2022 and went to see his wife, she was found missing. Complaining of inaction on the part of the police despite several complaints, the petitioner has come up before this Court with this Habeas Corpus Petition.

3. Mr.T.Senthil Kumar, learned Additional Public Prosecutor, upon instructions, would submit that the alleged detinue, wife of the petitioner, had eloped with one Ajith Kumar and has been living with him. She had also sent a voice message to the petitioner/husband stating that she is living with Ajith Kumar.

4. Considering the fact that the detinue is a major and no case of illegal detention is made out, the Habeas Corpus Petition is dismissed, leaving it open to the petitioner to initiate proceedings for restitution of conjugal rights.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pm

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,
Sivagangai, Sivagangai District.

2.The Deputy Superintendent of Police,
Ram Nagar,
Devakottai, Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
Taluk Police Station,
Devakottai,
Sivagangai District.

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

H.C.P. (MD) No.420 of 2022
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MGJ(13.04.2022) 3P 5C