



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 31.03.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN**

**and**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**H.C.P. (MD) No.480 of 2022**

A.Perumalsamy ... Petitioner/Husband of the detenu

**Vs.**

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

2.The Inspector of Police,  
Peraiyur Police Station,  
Madurai District.

... 1<sup>st</sup> and 2<sup>nd</sup> 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 person or body or person of the detainee namely, Divya, D/o.Alagarsamy, aged about 22 years, who is the wife of the petitioner, before this Court and set the detainee at liberty.

For Petitioner : Mr.K.Siva  
For Respondents : Mr.T.Senthil Kumar,  
Additional Public Prosecutor.

**O R D E R**

**R.SUBRAMANIAN, J.**

**AND**

**N.SATHISH KUMAR, J.**

The petitioner seeks production of his wife Divya, who is said to be missing from 16.03.2022.

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

3. According to the petitioner, he is doing milk business and the detainee went to the milk shop at about 7.00 a.m., on the said day. Since, she had not returned, the petitioner has filed a complaint with the respondent Police and a case has been registered in Crime No.64 of 2022 as a "Woman Missing" case.

4. Mr.T.Senthil Kumar, learned Additional Public Prosecutor, upon instructions, would submit that she had eloped with her boy friend and the respondent Police had already registered the FIR and searched for her.



5. In view of the above, we do not see any illegal custody in this case. Hence, this Habeas Corpus Petition is dismissed, with a direction to the respondent Police to continue the investigation and secure the detainee.

Sd/-

Assistant Registrar (CO)

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/ /2022

Sub Assistant Registrar(CS)

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To:

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

H.C.P. (MD) No.480 of 2022  
31.03.2022

NSN (CO)

KB(06.04.2022) 2P 4C