



H.C.P.(MD) No.1284 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.THARANI**

H.C.P.(MD) No.1284 of 2022

T.Ajay Peliex

... Petitioner

-VS-

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

2.The Inspector of Police,
Thakkalai Police Station,
Kanyakumari.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the person or body of the petitioner's wife namely Fathima Fazila, aged about 30 years and produce before this Court and set her at liberty.

For Petitioner : Mr.KA.Raamakrishnan

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



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ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the respondents to produce the body or person of the petitioner's wife, namely, Fathima Fazila, aged about 30 years, before this Court and set her at liberty.

2. It is the case of the petitioner that her wife Fathima Fazila, aged about 30 years, went missing from 10.06.2022 and that the police are not taking effective steps to secure her. Hence, the present habeas corpus petition with the above prayer.

3. Today, Mr.Nepoleon, Inspector of Police, Thuckalay Police Station and Fathima Fazila (detenue), are present before this Court. When we enquired Fathima Fazila, she has stated that on account of marital discord, she got separated from the petitioner and she is now staying in a hostel in Madurai. She further stated that she is consulting advocates for approaching Family Court for appropriate relief.



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4. In such view of the matter, it cannot be stated that the petitioner's wife is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus.

5. Hence, this habeas corpus petition stands closed.

[P.N.P., J.] [R.T., J.]
04.08.2022

Index : Yes / No
Internet : Yes / No
pkn

To:

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



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