



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P.(MD) No.1732 of 2021

Muniyandi

... Petitioner/
Husband of the detenue

-vs-

1.The Superintendent of Police,
Tenkasi District,
at Tirunelveli.

2.The Inspector of Police,
Sivagiri Police Station,
Sivagiri Village,
Tenkasi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenue/the petitioner's wife namely Deepa, D/o.Muniyandi, aged about 29 years before this Court and set her at liberty.

For Petitioner

: Mr.A.Devaki

For R1 & R2

: Mr.S.Ravi

Additional Public Prosecutor

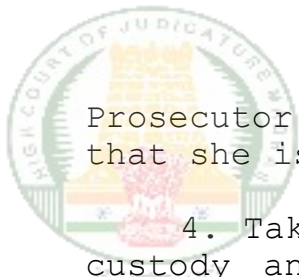
O R D E R

S.VAIDYANATHAN, J.
and
DR.G.JAYACHANDRAN, J.

The petitioner has approached this Court stating that his wife and child were missing from 14.04.2021. On registration of the complaint by the police in Cr.No.213 of 2021, dated 10.05.2021 under the head of "Woman Missing, Boy Missing" investigated the matter.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that the woman and child were secured from the Erode and that it is a case of second elopement.

3. Today, the respondent police has produced the detenues before this Court through Video Conferencing from the Public



Prosecutor Office. On enquiry, the wife of the detainee has stated that she is not interested in joining with the husband.

4. Taking note of the fact that the detainees are not in illegal custody and the petitioner's wife gone on her own, hence, the Habeas Corpus petition is dismissed. It is open to the parties to work out their remedy in accordance with law.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Tenkasi District,
at Tirunelveli.
- 2.The Inspector of Police,
Sivagiri Police Station,
Sivagiri Village,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1732 of 2021
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MGJ(07.02.2022) 2P 4C