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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.09.2022**

CORAM

THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH

H.C.P.(MD)No.1576 of 2022

Arul Ranjani ... Petitioner / Wife of the Detenue

/Vs./

State rep. by
1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Nanguneri Police Station,
Nanguneri,
Tirunelveli 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 person or body of the detenu, by name, Muthu Krishnan, Husband of the petitioner(Arul Ranjani),aged about 37 years old, before this Court and set him at liberty.

https://www.mhc.tn.gov.in/judis

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For Petitioner : Mr.P.Santhanakrishnan
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

J. NISHA BANU,J.
and
N. ANAND VENKATESH,J.

The wife has filed this petition to produce the body of her husband, who went missing from 10.07.2022.

2. Heard Mr.P.Santhanakrishnan, learned counsel appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the respondents.

3. It is seen from records that the petitioner had sent a complaint through post to the second respondent and a copy of the complaint and an acknowledgment card have been filed before this Court and the petitioner is seeking for the relief of production of her husband by the respondent police.

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4. The learned Additional Public Prosecutor, on instructions, submitted that there is already a matrimonial dispute between the petitioner and her husband and there were earlier complaints given by the petitioner against her husband. Hence, the husband seems to have left the matrimonial home.

5. In the considered view of this Court, the Habeas Corpus Petition jurisdiction cannot be used for settling matrimonial dispute between the parties and we do not find any ground to entertain this Habeas Corpus Petition.

6. In the result, this Habeas Corpus Petition is dismissed.

(J.N.B.,J.) (N.A.V.,J.)
23.09.2022

Index : Yes/No
Internet : Yes
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To:

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

2.The Inspector of Police,
Nanguneri Police Station,
Nanguneri,
Tirunelveli District.

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

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