



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2022

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD)No.1845 of 2021

Manjunathan

... Petitioner /
Husband of the Detenue

Vs.

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

2.State Represented by,
The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

3.Mani

4.Sathyavan Savithri

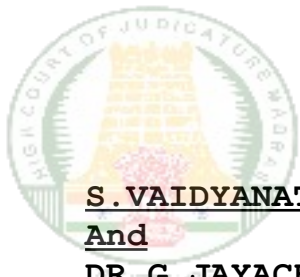
... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the 1st and 2nd respondents to produce the person or body of the petitioner's wife, namely, Monisha, daughter of Mani, aged about 28 years and the petitioner's son (Six months baby) before this Court and set them at liberty.

For Petitioner : Mrs.A.Banumathy

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

For the Detenue : Mr.T.Gowthaman



O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

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[Order of the Court was made by **DR.G.JAYACHANDRAN, J.**]

This Habeas Corpus Petition is filed by the husband alleging that his wife has been under illegal custody of the respondents 3 and 4, who are none other than the parents of the detainee.

2. After notice, the detainee appeared through video conference along with her counsel and represented that due to misunderstanding with her husband, she has left her matrimonial home and living with her parents. There is no illegal custody and she has given birth to a male child on 02.06.2021. She has cause notice seeking divorce, which has been received by the petitioner herein. Instead of responding to the notice, he has come with this Habeas Corpus Petition suppressing the fact to mislead the Court.

3. This Court is of the view that the petitioner herein has approached the wrong forum with false averment and for inappropriate relief. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PJL

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,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.



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

H.C.P. (MD) No.1845 of 2021
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