



H.C.P.(MD)No.1959 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

H.C.P.(MD)No.1959 of 2022

Davidrajamani

.. Petitioner

Vs.

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

2.The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

3.Gajendran

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the petitioner's wife namely, Rathi Amutha, W/o.Davidrajamani, aged about



H.C.P.(MD)No.1959 of 2022

29 years, before this Court and set her at liberty forthwith.

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For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.A.Thiruvadikumar - R1 & R2
Additional Public Prosecutor

ORDER

[Order of the Court was made by **N.ANAND VENKATESH, J.**]

This Habeas Corpus Petition has been filed by the husband of the detenu seeking for a direction to the respondent police to secure his wife Rathi Amutha, aged about 29 years, who is said to have been illegally detained by the third respondent.

2. The learned Additional Public Prosecutor, on instructions, submitted that the wife of the petitioner had developed a relationship with the third respondent and had eloped. Apart from the complaint given by the petitioner, a complaint has also been lodged by the wife of the third respondent and both the complaints are at the stage of enquiry.



H.C.P.(MD)No.1959 of 2022

WEB COPY

3. In the considered view of this Court, it will be suffice, if a direction is issued to the second respondent police to secure the detenu and the third respondent and produce them before the Judicial Magistrate Court, Tiruchendur. The learned Magistrate shall record the statements of the parties and shall issue appropriate directions to the respondent police. Based on the statements recorded by the learned Magistrate, the second respondent police shall take action in the pending FIR.

4. This Habeas Corpus Petition is disposed of with the above directions.

(M.S.R.,J.) (N.A.V.,J.)
23.11.2022

Index : Yes/No
Internet : Yes
rm



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Madurai Bench of Madras High Court,
Madurai.



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