



WEB COPY



H.C.P.No.511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.511 of 2023

K.Suriyakumar

S/o.M.Karunanidhi

..

Petitioner /

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Vs.

1. The Commissioner of Police
Office of the Commissioner of Police
Coimbatore City

2. The Inspector of Police
Race Course Police Station
Coimbatore City

3. Dharmaraj
S/o.Ganesan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 2nd respondent to produce the petitioner's wife, namely Suganya Devi, aged about 28 years and his

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minor son, namely Pranav, aged about 4 years before this Court and set them at liberty.

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For Petitioner : Ms.K.Dhivyashree
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by
Mr.M.Sylvester John

ORDER

[Order of the Court was made by M.NIRMAL KUMAR, J.,]

The petitioner lodged a complaint with the second respondent on 01.03.2023 stating that he married one Suganya Devi on 27.11.2016 and it was a love marriage, out of the wedlock they have a child and due to some misunderstanding, his wife Suganya Devi left the matrimonial home and went to her parental home. It is further stated that when the petitioner had gone to visit his wife and son, his in-laws did not permit him and hence, he lodged the present complaint.



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2. Mr.R.Muniyapparaj, learned State Additional Public Prosecutor, assisted by Mr.Sylvester John, on instructions from the second respondent as well as from a Woman Police Constable from All Women Police Station, East Coimbatore, that on 09.03.2022, the petitioner's wife Suganya Devi left the matrimonial home and she lodged a complaint with All Women Police Station, East Coimbatore, C.S.R.No.112 of 2022 was assigned, the petitioner was called for the enquiry, the petitioner appeared and the enquiry is in progress. In the meanwhile, on the complaint of the petitioner, Suganya Devi was called for enquiry on 10.03.2023 and both of them agreed that the matter would be amicably settled between them and suppressing the same, the present petition has been filed.

3. The learned counsel for the petitioner submits that the petitioner's endeavour is to see his child as well as his wife and his apprehension is that since it is a love marriage, his in-laws are forcibly detaining his wife and son.

4. As we are informed that the enquiry on the complaint of Ms.Suganya Devi as well as the petitioner are pending, we are of the view that the complaint of the petitioner, which is before the second respondent to



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be transferred to the file of All Women Police Station, East Coimbatore and both the complaints i.e., complaint of the petitioner as well as the complaint of Suganya Devi in C.S.R.No.112 of 2022 to be enquired into by the All Women Police Station, East Coimbatore and both the complaints shall be disposed of within a period of three weeks from today. Thereafter, it is for the respective parties to work out their appropriate and legal remedies. All the rights and contentions of both the parties are preserved.

With the above direction, this Habeas Corpus Petition is disposed of.

(M.S.,J.)

(M.N.K.,J.)

03.04.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa



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3. The Public Prosecutor
High Court, Madras.



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and
M.NIRMAL KUMAR, J.,

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