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H.C.P.No.901 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

Coram

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

H.C.P.No.901 of 2023

J.Eviyavathi

.. Petitioner

VS

1.The Commissioner of Police,
Greater Chennai, Vepery,
Chennai.

2.The State
Rep by its Inspector of Police,
H5, New Washermenpet Police Station,
Tondiarpet, Chennai – 600 081.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of habeas corpus to produce the body
of the petitioner's husband XXX, son of Renu, aged about 27 years,
before this Court and set him at liberty.

For Petitioner : Mr.C.N.Ehoma Savour

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor



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ORDER

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

This order will now dispose of captioned 'Habeas Corpus Petition' (hereinafter 'HCP' for the sake of convenience and clarity). We are informed that there is a happy ending to the episode which has led to the filing of captioned HCP.

2. Short facts are that the petitioner married one XXX (we are masking the name and we shall be referring to the petitioner's spouse as 'absentee' for the sake of convenience) on 11.01.2021; that from the petitioner's wedlock with the absentee, a girl child was born on 02.11.2021; that after some matrimonial discord on 14.04.2023, absentee left home and did not return; that after making multiple searches on 03.05.2203, the petitioner lodged a complaint with the jurisdictional police station (H5 New Washermenpet Police Station); that the complaint was taken on file vide Crime No.202 of 2023; that apprehending illegal detention of her spouse, petitioner had filed captioned HCP in this Court on 22.05.2023; that Honourable Predecessor Bench issued notice on 24.05.2023 which was followed by next listing before this Court on 07.06.2023.



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3. Today, petitioner, Mr.C.N.Ehoma Savour, learned counsel for petitioner, Mr.E.Raj Thilak, learned State Additional Public Prosecutor for both the respondents (official respondents) and petitioner's spouse/absentee are all present in Court.

4. This Bench is informed by all concerned that the petitioner and the absentee have sorted out their differences and they would now be continuing their matrimonial relationship. The petitioner's counsel also submits that the petitioner and her spouse would be good caregivers for the child. To be noted, this is the reason why we opened with the observation that there is a happy ending to the episode which led to the filing of captioned HCP.

5. We draw the curtains on captioned HCP as it is not a case of illegal detention or unlawful custody. Captioned HCP is disposed of as closed.

(M.S.,J.) (R.S.V.,J.)
21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
mmi

To



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- 3.The Public Prosecutor,
High Court, Madras.

M.SUNDAR, J.,



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and
R.SAKTHIVEL , J.,

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