



H.C.P.No.1929 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM :

**THE HONOURABLE MR. JUSTICE S.S. SUNDAR
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

H.C.P.No.1929 of 2023

T.Gunasekaran

... Petitioner

Vs.

1. The Superintendent of Police,
Superintendent of Police (Rural) Office,
State Bank Road,
Coimbatore 641 018.

2. The Deputy Superintendent of Police
Karumathampatti, Somanur,
Coimbatore - 641 668.

3. State Rep. By
The Inspector of Police
Sulur Police Station
Tamil Nadu - 641 402.

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the



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3rd respondent to produce the petitioner's wife by name G.Maladevi, aged about 33 years, before this Court and set her at liberty.

For Petitioner : Mr.S.Ramesh
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This petition is filed by the husband of the detinue to direct the respondent Police to produce his wife namely Mrs. G.Maladevi, aged about 33 years before this Court and to set her at liberty.

2. The detinue is brought before this Court today by Police. When we enquired the detinue, she has stated that she is now working in a concern in SIPCOT, Hosur and due to some misunderstanding and with an intention to find a job, she left the home. She has further stated that she wants to lead a peaceful life away from the family. However, the detinue wants to stay with her father for sometime and she also expressed her willingness to take the children with her.



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3. The petitioner is present before this Court today along with his two children. We have enquired the children as well as the petitioner. The children stated that their father never scolded or ill treated their mother.

4. It appears that the detinue is the daughter of petitioner's sister. This Court finds that the detinue has left the home on her own volition. Therefore, there is no illegal detention. For the present, this Court permits the father to take care of the detinue and permits the detinue to go along with her father as per her wish.

5. Recording the fact that the detinue has been secured and she has been sent along with her father, this habeas corpus petition is closed.

(S.S.S.R., J.) (S.M., J.)
09.10.2023

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



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4. The Public Prosecutor,
High Court, Madras.



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and
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