

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.1947 of 2023

M.Senthilan .. Petitioner

v.

1. The Superintendent of Police
Dharmapuri District

2. The Inspector of Police
Pennagaram Police Station
Dharmapuri District

3. Sekar .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body of the detenu namely Vimala, aged about 32 years, Wife of the petitioner, before this Hon'ble Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner :: Mr.M.Chinnadurai

For Respondents :: Mr.E.Raj Thilak
 Additional Public Prosecutor
 assisted by Mr.C.Aravind, Advocate
 for R1 & R2

ORDER

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

This petition is filed by the petitioner-husband stating that his wife is missing from August, 2023. After the filing of this petition, the 2nd respondent has produced the detenue before this Court.

2. The detenue, who is present before the Court today, submitted that she has gone on her own to Tiruppur, as she was unable to tolerate the domestic violence against her by her husband. The detenue is now willing to go with her husband, who is also present before this Court. She requested this Court to advise her husband not to indulge in domestic violence. Her complaint is that she is beaten for all trivial issues. Therefore, she was unable to bear the pain she suffered.

3. Though the detenue has every right to move the other forum and give a criminal complaint against her husband, she has not done that to maintain cordiality between them. Therefore, recording the statement of the detenue and advising the petitioner not to indulge in violence and maintain cordial relationship with his wife, this habeas corpus petition is closed.

Index : yes/no

(S.S.S.R.,J.)

(S.M.,J.)

Neutral citation : yes/no

02.11.2023

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To

1. The Superintendent of Police
Dharmapuri District
2. The Inspector of Police
Pennagaram Police Station
Dharmapuri District
3. The Public Prosecutor
High Court, Madras

H.C.P.No.1947 of 2023

S.S.SUNDAR,J.

AND

SUNDER MOHAN,J.

SS

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