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H.C.P.No.1997 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.12.2023

CORAM

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

H.C.P.No.1997 of 2023

R.Lokesh

... Petitioner

Vs.

1.State Rep. By
The Superintendent of Police,
Superintendent of Police Office,
Thiruvallur District.

2.The Inspector of Police,
Pennalurpet Police Station,
Thiruvallur District.

3.Munichandran

... Respondents

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 petitioner's wife Umamaheswari, W/o.Lokesh, aged about 22 years and the petitioner's baby Dhanusri, aged about four years before this Court and set them at liberty.

For Petitioner : Mr.R.Thamarai Selvan

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



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ORDER

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

Seeking a direction to the respondents to produce the petitioner's wife Umamaheswari, aged about 22 years and minor daughter Dhanusri, aged about four years, the present habeas corpus petition has been filed.

2. This petition is filed by the husband of the detinue alleging that the detinue and the minor child were missing from 08.09.2023. After the filing of this petition, the respondent police has taken efforts to secure the detinue and investigation revealed that the detinue is living with the third respondent in the neighbouring State.

3. Today, the detinue is produced before this Court along with the minor child.

4. We have interacted with the detinue and she has stated that she left the matrimonial home on her own and now she is happily living with the third respondent.



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5. Having regard to the statement made by the detenué that she left the matrimonial home on her own and she is not willing to join the petitioner, we are of the view that this is not a case of illegal detention. Therefore, this habeas corpus petition is dismissed.

(S.S.S.R., J.) (S.M., J.)
12.12.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

- 1.The Superintendent of Police,
Superintendent of Police Office,
Thiruvallur District.
- 2.The Inspector of Police,
Pennalurpet Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.



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