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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.01.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P(MD)No.43 of 2023

K.Pandiyan

...Petitioner/Husband
of the detenue

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

...Respondents

PRAYER: This Habeas Corpus Petition is 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 or person of the petitioner's wife, Anitha, D/o.Chinna Chellaiya, aged 22 years, before this Court and set him at liberty forthwith.

For Petitioner

:Mr.D.Rajaboopathy

For Respondents

: Mr.R.Meenkshi Sundaram
Addl. Public Prosecutor

**ORDER**

DR. G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

The petitioner, who is the husband of Anitha, has filed this Habeas Corpus Petition alleging that his wife along with one year child gone missing.

2.However, the police has investigated the complaint AND found that the said Anitha, wife of the petitioner due to unbearable torture caused by the petitioner, has left the matrimonial home and presently living with her mother.

3.Being a matrimonial dispute, the same cannot be agitated under the guise of the Habeas Corpus Petition and hence, the same is dismissed.

(G.J.,J.) (S.M.,J.)
27.01.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
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- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
- 2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR. G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

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