



H.C.P.(MD) No.133 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Rajasekar

... Petitioner / Husband of the detenue
Vs.

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

3.Surya

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detenue, namely, Ingala Eswari, W/o.Rajasekar, aged about 22 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Venkatesan

For R1 & R2 : Mr.RMS.Sethuraman

Additional Public Prosecutor

For R3 : No Appearance



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ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

The petitioner, seeking production of his wife, namely, Ingala Eswari, aged about 22 years, has filed this Habeas Corpus Petition.

2.Today, when the matter is taken up for hearing, the respondent Police has produced the detainee before this Court, who has stated before us that due to some strained relationship between the petitioner and the detainee, she left the matrimonial home and also since she fell in love with the 3rd respondent, she went with him and stayed there outside Tamil Nadu for sometime. Now, she had been brought before this Court.

3.She further stated that she is not ready and willing to join with the petitioner / husband, but she wants the child, which is presently in the custody of the petitioner, to be returned back to the detainee.

4.The said statement made by the detainee is taken on record. As she is not in illegal custody, we feel that it is for the petitioner as well as the



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detenue to workout their personal remedies, since there has been strained relationship between them, including the custody of the child before the appropriate Court in the manner known to law.

5.In view of the same, we are inclined to close this Habeas Corpus Petition, accordingly, it is closed.

(R.S.K., J.) & (K.K.R.K, J.)

27.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MYR

To

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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R.SURESH KUMAR, J.
AND
K.K.RAMAKRISHNAN, J.
MYR

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