



HCP(MD)No.165 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.02.2023

CORAM

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

H.C.P.(MD)No.165 of 2023

C.Maruthavel Mariappan

.. Petitioner / Husband of the
Detenu

Vs.

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

2.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

3.Murugesan

4.M.Kalyani

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the 1st and 2nd respondents to secure the detenu, namely the petitioner's wife Revathy, aged about 30 years from the illegal custody of the 3rd and 4th respondents and produce her before this Court and set her liberty.



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HCP(MD)No.165 of 2023

For Petitioner :Mr.M.Suresh
(No appearance)

For Respondents :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

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

This petition has been filed by the husband of the detenu stating that his wife Revathi, aged about 32 years, was found missing since 15.09.2020.

2.According to the petitioner, on search, he came to know that his wife is in the illegal custody of the third and fourth respondents, who are the parents of the detenu. Thereafter, the petitioner gave a complaint on 07.12.2022 and 02.01.2023 before the respondent. Since the respondents have not take any action, the petitioner has come forward with the present Habeas Corpus Petition to secure his wife, the detenu herein.

3.Today, the respondent police has produced the detenu before this Court. We enquired the detenu. She informs that she was not comfortable in



HCP(MD)No.165 of 2023

living with the petitioner and hence, she voluntarily left the matrimonial home and now she is a gainfully employed and living independently and she is not willing to go along with her husband.

4.Having regard to the stand taken by the detenu, this Habeas Corpus Petition is dismissed.

(G.J.,J.) (S.M.,J.)
03.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
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To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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