



H.C.P.(MD) No.507 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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V.Thiruppathy ... Petitioner / Husband and Father
of the Detenue

Vs.

1.State rep. by, The Superintendent of Police,
Madurai District, Surveyor Colony,
K.Pudur, Madurai-7.

2.State rep. by, The Sub-Inspector of Police,
V.Chatrapatti Police Station,
Madurai District.

3.Karuppasamy ...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 body or person of the detenues, namely, Pavitra, W/o.Thiruppathi, aged



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about 22 years, who is the wife of the petitioner, Minor Devadharsan, aged about 10 months, who is the son of the petitioner from the illegal custody of the 3rd respondent before this Court and set them at liberty.

For Petitioner : Mr.S.Sades Kumar
For R1 and R2 : Mr.RMS.Sethuraman,
Additional Public Prosecutor

ORDER

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

The petitioner, seeking production of his wife and son, namely, Pavitra, aged about 22 years and Devadharsan, aged about 10 months, has filed this Habeas Corpus Petition.

2.Today, when the matter is taken up for hearing, the respondent Police has produced the detenues ie., mother as well as 10 months old child, who are none other than the wife and child of the petitioner. The first detainee, ie., wife of the petitioner has stated before us that there was a strained relationship between the petitioner and the first detainee and therefore, she left the matrimonial home and joined with the father of the detainee and presently, she claims that she is residing with her father ie.,



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parental home and she does not want to return back to the matrimonial home.

3.In view of the said statement made by the first detainee, since there has been no illegal custody on the part of the detainees, we feel that this Habeas Corpus Petition can be closed, accordingly, it is closed.

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

25.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MYR

To

1.The Superintendent of Police,
Madurai District, Surveyor Colony,
K.Pudur, Madurai-7.

2.The Sub-Inspector of Police,
V.Chatrapatti Police Station,
Madurai District.

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AND

K.K.RAMAKRISHNAN, J.

MYR

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

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