



HCP(MD)No.631 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR**
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN**

H.C.P.(MD)No.631 of 2023

N.Ganesan

.. Petitioner / husband of
the detenu

Vs.

1.The Superintendent of Police
Karur District, Karur.

2.The Inspector of Police,
Venkamedu Police Station, Karur District

3.Nagarajan @ David

. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents No.1 and 2 to produce the body or person of the petitioner's wife namely Manimegalai, W/o.Ganesan, aged about 36 years and the petitioner's minor daughters namely 1) G.Shalini (aged about 14 years) 2) G.Kruthika (aged about 13 years) and 3) G.Gugasri (aged about 6 years) before this Court and set them at liberty.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.A.Thiruvadikumar for R1
& R2
Additional Public Prosecutor
Mr.S.Kaleeswaran for detenu



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ORDER

[Order of the Court was made by **R.SURESH KUMAR, J.**]

The prayer sought for herein is for a direction to the respondents No.1 and 2 to produce the body or person of the petitioner's wife namely Manimegalai, W/o.Ganesan, aged about 36 years and the petitioner's minor daughters namely 1) G.Shalini (aged about 14 years) 2) G.Kruthika (aged about 13 years) and 3) G.Gugasri (aged about 6 years) before this Court and set them at liberty.

2.When this petition is taken up for hearing today, the official respondents have produced the detinue No.1, namely, Manimegalai, wife of the petitioner herein and the detinue No.2, namely, G.Shalini, aged 14 years, daughter of the petitioner herein. When we enquired, the first detinue, ie., wife of the petitioner stated that the petitioner had given continuous torture to her and therefore, she left the matrimonial home along with her three female children to her parental home at Tiruppur and she claimed that as of now, they are residing at her parental home with her mother along with her children at Tiruppur. Insofar as the allegation made



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by the petitioner implicating the third respondent, according to the first detainee, it is a false statement and she stoutly denies the same. When we specifically asked whether she along with her three children wants to go with the petitioner or to the matrimonial home, she firmly refused and stated that she will work out her remedy before the concerned Court and she has also approached the concerned Court, ie., the family Court, Karur by filing HMOP No.60/2023 against the petitioner. Therefore, through the said legal proceedings, she along with the children can work out their remedy in the manner known to law.

3. Recording the afore-stated, we feel that the detainees, since are not in the illegal custody at the hands of anyone including the third respondent, this Habeas Corpus Petition can be closed. Accordingly, this petition is closed.

(R.S.K.,J.) (K.K.R.K.,J.)
01.06.2023

Internet : Yes
RR



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To

1.The Superintendent of Police
Karur District, Karur.

2.The Inspector of Police,
Venkamedu Police Station,
Karur 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.

RR

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