



H.C.P.(MD) No.708 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.708 of 2023

Syed Meeran

... Petitioner/Husband of Detenue

Vs.

1.State Represented by
The Commissioner of Police,
O/o. the Commissioner of Police,
K.Pudur,
Madurai.

2.The Inspector of Police,
C2 - Subramaniapuram Police Station,
Madurai District.

3.Ulaga Rajan

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the Respondents No.1 & 2 to produce the body or person of the petitioner's Wife namely Lashmisha, aged about 28 years before this Hon'ble Court and set her at liberty.



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For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed seeking a direction to the respondents 1 and 2 to produce the body or person of the petitioner's wife, namely, Lashmisha, aged about 28 years, before this Court and set her at liberty.

2. Today when the Habeas Corpus Petition is taken up for hearing, the respondent police has produced the detainee viz., Lashmisha.

3. The detainee has stated before us that, there has been a strained relationship with her husband i.e., the petitioner, with the result, she left the matrimonial home three months back and with the help of the third respondent, who is none other than the friend of her, she had taken a job at Tiruppur, where she is working in a Doctor's Clinic and getting Rs.7,000/- per month as a salary and with that minimum salary she has taken a small house for rent and staying there.



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4. When specifically asked, she said that, she has love and affection towards the two children of her and if the petitioner agrees she can take any one of the children or even can take the two children to nurture them, otherwise, it is open to the petitioner to nurture the two children, in which, the detenue will not interfere.

5. When specifically asked, whether the detenue wants to go with any one of the members of the family of the detenue, she said in the negative as she wants to live peacefully at Tiruppur at the present set up atleast for some time.

6. The said submission made by the detenue is taken on record and in view of the same, since she is not in any illegal custody, this Court recording the aforesaid, inclined to close the Habeas Corpus Petition and accordingly, it is closed.

(R.S.K., J.) & (K.K.R.K, J.)
23.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
SJ



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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

To

- 1.The Commissioner of Police,
O/o. the Commissioner of Police,
K.Pudur,
Madurai.
- 2.The Inspector of Police,
C2 - Subramaniapuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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