



WEB COPY



HCP.No.2903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2903 of 2024

B.Pavithran

... Petitioner

Vs.

1. The Commissioner of Police,
No.132, EVK Sampath Road,
Periamet, Vepery Road,
Park Town, Chennai - 600 007.

2. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai - 600 012.

3. S.Raj ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the 1 and 2nd Respondent to produce the body of the detenu namely P.Shobana, aged about 30 years, Wife of the petitioner, before this Court from the illegal custody of the said S.Raj at Erode District and set her at liberty.



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For Petitioner : Ms.S.Shinu
For Respondents : Mr. R.Muniyapparaj
Additional Public Prosecutor
[for R1 and R2]

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The writ of habeas corpus petition has been instituted to direct the respondents 1 and 2 to produce the detinue *viz.*, P.Shobana, aged about 30 years, wife of the petitioner.

2. The petitioner raised an allegation that his wife has been illegally detained by the third respondent. The second respondent/Police conducted an investigation and traced the detinue, who in turn given a voluntary statement before the Inspector of Police, G-5 Police Station, Secretariat Colony, Chennai on 04.11.2024. The letter given by the detinue would indicate that the petitioner, who is the husband of the detinue harassed her physically and mentally. Therefore, she had voluntarily taken a decision to leave the matrimonial home. She has stated now that she has secured a job at Erode and living there.



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3. Since the detinue has voluntarily given a statement before the

Inspector of Police/second responden that she has not been illegally detained by any person, no further adjudication needs to be undertaken. However, it is for the petitioner to institute any proceedings to resolve the matrimonial disputes if any, exist in the manner known to law.

With the above observations, the habeas corpus petition stands **disposed of.**

[S.M.S., J.] [M.J.R., J.]
13.11.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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Park Town, Chennai - 600 007.
2. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai - 600 012.
3. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
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