



HCP.No.3087 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.3087 of 2024

Selvanayagam

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Petitioner

Vs.

1. The State Rep.by,
The Commissioner of Police,
Office Of the Avadi Commissionerate Office,
Avadi, Chennai - 600 054.

2. The Inspector of Police,
T7, Tank Factory Police Station,
Avadi City, Tiruvallur District.

3. Yuvaraj

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents herein to produce the petitioner's wife, namely, Mrs.Anitha, aged 32 years, from the illegal custody of the 3rd respondent and set her liberty.

For Petitioner

: Mr.A.Tamil Selvan

For Respondents

: Mr.R.Muniyapparaj

Additional Public Prosecutor



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ORDER

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

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The Writ of Habeas Corpus Petition has been instituted to direct the respondents 1 & 2 to produce the petitioner's wife, namely, Mrs.Anitha, aged 32 years, from the illegal custody of the third respondent and set her liberty.

2.The detinue, Mrs.Anitha, who is the wife of the petitioner, on an earlier occasion had eloped with one Mr.Yuvaraj and the petitioner filed H.C.P.No.2635 of 2024. The respondent police secured the detinue and she was produced before this Court. The detinue informed the Court that she will join with her family and children. However, again she had eloped with the third respondent and thus, the present Habeas Corpus Petition came to be instituted.

3.Once the petitioner is aware of the fact that his wife had eloped with the third respondent, filing of Habeas Corpus Petitions repeatedly would not do any service for the cause of justice. It is for him to convince the detinue for the benefit of the children.



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4. At this juncture, the learned counsel for the petitioner would submit that he will withdraw the petition. Accordingly, the Habeas Corpus Petition stands dismissed as withdrawn.

[S.M.S., J.] [M.J.R., J.]
29.11.2024

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To

1. The State Rep.by,
The Commissioner of Police,
Office Of the Avadi Commissionerate Office,
Avadi, Chennai - 600 054.
2. The Inspector of Police,
T7, Tank Factory Police Station,
Avadi City, Tiruvallur District.
3. The Public Prosecutor,
Madras High Court.



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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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