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H.C.P.No.3000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.3000 of 2024

Dr.Madhumitha

... Petitioner

Vs.

1.Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai – 600 007.

2.The Inspector of Police,
M3 – Puzhal Police Station,
5663+24V, NH16, New Central Jail,
Puzhal, Chennai, Tamil Nadu 600 066.
FIR No.655/2024

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the respondents to trace out and produce the person of the petitioner's husband detainee MR.V.Sugirdhayraaj aged about 38 years before this court and set him at liberty.



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For Petitioner : Ms.S.Aswini
For R1 & R2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The Habeas Corpus Petition has been instituted to direct the respondents to trace out and produce the petitioner's husband Mr.V.Sugirdhayraaj aged about 38 years.

2. The 2nd respondent/Police secured the detenu and produced him before this Court. The petitioner is also present.

3. It is not in dispute that the marriage between the petitioner and the detenu was solemnised on 23.11.2023. Initially, they led a happy matrimonial life, but the detenu later travelled to Delhi for business purposes. The petitioner has now discovered that the detenu has married another woman from Haryana in Delhi. From and out of the said wedlock a baby was born.



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4. Therefore, the petitioner is not willing to resume her matrimonial life with the detenu. We have examined the detenu, who in turn though repented for his actions and he felt helpless to take a decision. However, he said that whatever decision taken by the petitioner, he will cooperate for the same.

5. Ultimately, it is for the parties to workout and take a decision and resolve the same in the manner known to law. As far as the present Habeas Corpus Petition is concerned, the detenu is not under illegal detention and thus, no further adjudication needs to be undertaken.

6. Accordingly, the Habeas Corpus Petition stands disposed of. No costs.

[S.M.S., J.] [M.J.R., J.]
20.12.2024

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order



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To

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and
M.JOTHIRAMAN, J.

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