



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.02.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD) No.163 of 2024

Rajesh ... Petitioner/Husband of the detenue

-vs-

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the respondents to produce the person or body of the Petitioner's wife namely Nithya, wife of Rajesh, aged about 19 years before this Court and set her at liberty.

For Petitioner : Ms.A.Banumathy



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For Respondents : Mr.RMS.Sethuraman
1 and 2 Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN.,J
AND
C.KUMARAPPAN.,J

This Habeas Corpus Petition has been filed by the husband of the detenu seeking for a direction to the respondents to produce the person or body of the Petitioner's wife namely Nithya, wife of Rajesh, aged about 19 years before this Court and set her at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner is the husband of one Nithya, aged 19 years.Alleging that his wife gone missing, On 26.10.2023, he has given a complaint to the Pudukkottai Town Police Station, Pudukkottai. Based on the complaint a case in Cr.No.459 of 2023 under the caption "Woman missing" was registered and later secured the girl, who had eloped with her lover Kannan. The present complaint is the second complaint given by the Petitioner. Earlier on 3.2.2023, he gave a complaint to the



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Vadakadu Police about the missing of his wife and the Police, on search, secured his wife.

4. On notice, the Inspector of Police of Pudukkottai has filed a status report indicating that the said Nithya before marriage went on missing on 3.2.2023. Since her parents gave a complaint to the Vadakadu Police about the missing of their daughter, on investigation, the Police found that she had eloped with one Kannan of Kallampatti, Alangudi Taluk and based on the information, the girl was secured and handed over to the mother. Even knowing about her love affair, marriage was solemnized with the Petitioner herein on 16.7.2023. However, the girl Nithya had gone missing on 26.10.2023. The investigation indicates that the said Nithya along with the above said Kannan is presently at Coimbatore. A Special Team has been constituted and once they are secured, it will be informed to the Petitioner herein.

5. Considering the information provided by the Police in the status report, this Court is of the view that instead keeping the petition pending, this Court directs the respondents Police to continue their



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search and inform the result of their search to the Petitioner as and when any positive information is gathered.

6. With the above observation, the Habeas Corpus Petition is closed.

[G.J.,J.]

[C.K.,J.]

21.02.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn
To:

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
2. The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.G.JAYACHANDRAN, J.
and
C.KUMARAPPAN, J.

vsn



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ORDER MADE IN

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