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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.03.2024

CORAM:

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

H.C.P.(MD) No.286 of 2024

Pandi ... Petitioner/Husband of the detenue

-VS-

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Sub-Inspector of Police,
Puthanatham Police Station,
Trichy District.

3.RamachandranRespondents

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 detenue namely Chinnammal, wife of Pandi, aged about 33 years before this Court and set her at liberty.



For Petitioner : Mr.T.Vaidvelan
For Respondents : Mr.RMS.Sethuraman,
1 and 2 Addl.Public Prosecutor

ORDER

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

This habeas corpus petition has been filed by the of the husband of the detenue seeking for a direction to the respondents to produce the person or body of the detenue namely Chinnammal, wife of Pandi, aged about 33 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 the missing lady by name Chinnammal. Alleging that his wife has eloped with the third respondent, leaving him and 1 ½ years old child, he has given a complaint before the second respondent on 8.2.2024, which was registered in Crime No.19/2024 under the caption "woman missing". Since the Police could not trace the missing woman, the present



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Habeas Corpus Petition is filed.

4.The respondents Police has secured the missing woman by name Chinnammal, wife of the Petitioner herein and when she was enquired, she expressed her unwillingness to live with him. However, the Petitioner states that she has taken away money and jewels from the house. The matrimonial dispute cannot be sorted out in a Habeas Corpus Petition. Since the alleged missing lady was secured and produced before by this Court by the respondents-Police and as she is alive with flesh and blood and she has stated that she has not been illegally detained by anybody, nothing survives for further adjudication in this Habeas Corpus Petition.

5.Accordingly, the Habeas Corpus Petition stands dismissed.

[G.J.,J.]

[C.K.,J.]

07.03.2024

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



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To:

- 1.The Superintendent of Police,
Trichy District,
Trichy.
- 2.The Sub-Inspector of Police,
Puthanatham Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.G.JAYACHANDRAN,J.
AND
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vsn

ORDER MADE IN
H.C.P.(MD) No.286 of 2024

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