



H.C.P.(MD) No.303 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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Jalin Shoba

... Petitioner

-VS-

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

2.The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to produce person or body of the petitioner's husband namely Joselin, S/o.Devasahayam, aged about 44 years, before this Court and set him at liberty.



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For Petitioner : Mr.S.Ayyanar Prem Kumar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Habeas Corpus Petition has been filed by the wife of the detenue seeking to produce the alleged detenu namely Joselin, S/o.Devasahayam before this Court.

2. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents would submit that it is a case of elopement. The petitioner's husband, who is the detenue, was operating the school van. Based on the complaint given by the petitioner, a case in Cr.No.46 of 2024 has been registered on 03.03.2024 for 'Man Missing'. During the course of investigation, the respondents came to know that the alleged detenu was operating the school van for Gowsika Matriculation School at Therisananthathopu, Kanyakumari District and during such time, he entered into



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an affair with one Pon Merisha, who was also working under the same school and they developed an illegal affair. Thereafter, they have eloped. The said Pon Merisha's husband namely Jenefer has given a complaint before the Keeriparai Police Station and a case in Cr.No.2 of 2024 has been registered. The investigation reveals that the said Pon Merisha married 14 years back and she blessed with a girl child aged about 3 years through the wedlock. She has also left the house on 02.02.2024.

3. He would further submit that the respondents are taking steps to find out the whereabouts of the alleged detenu and also the said Pon Merisha. As and when they are traced, it will be intimated to the petitioner.

4. Recording the same, this habeas corpus petition is closed with a direction to the respondents to continue the investigation in accordance with law.

[A.D.J.C., J.] [K.R.S., J.]
10.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
K.RAJASEKAR, J.

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