



H.C.P.(MD) No.384 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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Sanjeevireman

... Petitioner

-VS-

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

2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or person of the petitioner's wife (detenu) namely Sabitha, W/o.Sanjeevireman, aged 22 years before this Court and set her at liberty.



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For Petitioner : Mr.T.Eashwar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

: Mr.P.Ganapathi Subramanian
for proposed impleaded respondent

ORDER

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

This Habeas Corpus Petition has been filed by the husband of the detenue seeking to produce the alleged detenu namely Sabitha 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 based on the complaint given by the petitioner that his wife was missing, a case in Cr.No.66 of 2024 has been registered under 'Woman Missing'.

3. He would further submit that during the investigation, it came to light that it is a case of elopement. He further submitted that earlier the alleged



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detenu had gone along with one Prabakaran and on the complaint given by the father of the alleged detenu, an enquiry was conducted. During the enquiry, a mediation was done by one Ramaraj, Advocate and thereby, the said Prabakaran had given an undertaking that he will not interfere in the life of the alleged detenu and the alleged detenu was taken back to home by the petitioner. Subsequently, the petitioner had arranged for the marriage against the wishes of the alleged detenu and the detenu after the marriage, had once again gone away with the said Prabakaran. The said Prabakaran is also missing. He would further submit that the respondents are continuing with the investigation to find out the whereabouts of the detenu and as and when the detenu is traced or secured, it will be intimated to the petitioner.

4. Mr.P.Ganapathi Subramanian, learned counsel represented that he is representing one Mrs.K.Anitha, who is the sister of the said Prabakaran. He would submit that the alleged detenu is a major and she came to know that the alleged detenu had gone along with her brother. She has no role in their elopement, whereas, the petitioner as well as the respondent police are unnecessarily harassing her and her minor daughter aged about 14 years. He



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would further submit that the respondent police are unnecessarily putting a pressure and that he would also seek for interference.

5. We feel that though the respondents are entitle to enquire the said Anitha and her minor daughter they cannot be harassed. In the event of any harassment, Mrs.K.Anitha is at liberty to give a complaint to the concerned Superintendent of Police.

6. Finding that it is a case of elopement of a major girl and there is no illegal detention. Hence, the Habeas Corpus Petition is closed with a direction to the respondents to continue with the investigation.

[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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- 2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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