



H.C.P.(MD) No.664 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

CORAM:

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

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Murugaraj

... Petitioner

-vs-

1.The Superintendent of Police
Office of the Superintendent of Police Office
Thoothukudi District

2.The Inspector of Police
Thattarmadam Police Station
Thoothukudi District

3.Chellakani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the person or body of the detainee, by name, Meena Kumari, wife of Murugaraj, aged about 42 years, before this Court and set her at liberty.



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For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1 & R2

ORDER

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

The petitioner has filed this habeas corpus petition seeking a direction to the respondents 1 and 2 to secure his wife, namely, Meena Kumari, aged about 42 years, produce her before this Court and set her at liberty.

2. It is the case of the petitioner that he got married with the detenue ten years back and it is a second marriage. On 03.05.2024, the third respondent, mother of the detenue, came to the petitioner's house and took his wife to her house. Thereafter, the petitioner could not contact his wife and when he went to the third respondent's house, his wife was not there. Hence, alleging that the third respondent has kept his wife in her illegal detention, the petitioner lodged a complaint before the respondent – Police. However, no action was taken by the respondent – Police to trace his wife. Hence, this habeas corpus petition.



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3. Learned Additional Public Prosecutor appearing for the respondent – Police, on instructions, would submit that the petitioner is the husband of the detenue and it is a second marriage for her. The investigation sofar conducted reveals that due to matrimonial dispute, she had gone out of the matrimonial home. However, the respondent – Police are continuing with the investigation and as and when the detenue is secured or her whereabouts is located, the same will be intimated to the petitioner.

4. In view of the above submission of the learned Additional Public Prosecutor, this habeas corpus petition is closed with a direction to the respondent Police to continue with the investigation in accordance with law and as and when the detenue is secured or her whereabouts is identified, the same shall be intimated to the petitioner forthwith.

[A.D.J.C., J.]

[K.R.S., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Office of the Superintendent of Police Office,
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- 2.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
K.RAJASEKAR, J.

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