



H.C.P.(MD) No.734 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

H.C.P.(MD) No.734 of 2024

N.Ajin

... Petitioner

-VS-

1.The Superintendent of Police
Kanyakumari District

2.The Deputy Superintendent of Police
Colachel, Kanyakumari District

3.The Inspector of Police
All Women Police Station
Colachel, Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 to produce the person or body of the detainee, namely, Vincy, wife of Ajin, aged about 25 years and set her at liberty.

For Petitioner : Mr.M.Arsathul Hameed

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor



WEB COPY

H.C.P.(MD) No.734 of 2024

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 to secure his wife, namely, Vincy, aged about 25 years, produce her before this Court and set her at liberty.

2. It is the case of the petitioner, he got married with the missing girl on 04.04.2024. Subsequently, after ten days, she had gone to her parental home and there from, she went missing. Though he searched for her, he could find out her whereabouts. Hence, he lodged a complaint before the respondent – Police. Though it has been taken on file in C.S.R.No.161 of 2024, no effective steps have been taken by the respondent - Police to trace the missing girl. Hence, the petitioner, has filed this habeas corpus petition.

3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the petitioner is the husband of the missing girl and their marriage took place on 04.04.2024. However, she did not like the marriage and therefore, with the permission of her parents, she has gone to Chennai and is working there. He would further submit that



H.C.P.(MD) No.734 of 2024

WEB COPY

based on the complaint given by the petitioner, the respondent – Police also enquired the missing girl and her parents viz., Vijayakumaran and Lathamary, who are also present before this Court, through phone and they also submitted that due to matrimonial discord, the missing girl has left the matrimonial home and she is working in Chennai by staying in a Ladies Hostel, at Vembuli Amman Street, Thoraipakkam, Chennai, near Jain College.

4. In view of the above submission of the learned Additional Public Prosecutor, we are of the view that the missing girl is not in illegal detention of anybody and the habeas corpus petition is therefore liable to be dismissed.

5. Accordingly, the habeas corpus petition is dismissed.

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

[K.R.S., J.]

26.06.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk



H.C.P.(MD) No.734 of 2024

WEB COPY

To:

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.
- 3.The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD) No.734 of 2024

A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

krk

H.C.P.(MD) No.734 of 2024

26.06.2024