



H.C.P.(MD) No.953 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2024

CORAM:

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

H.C.P.(MD) No.953 of 2024

R.Sankar

... Petitioner

-VS-

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

2.The Inspector of Police,
Kadambur Police Station,
Thoothukudi District.

3.Rajalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 & 2 to secure and produce the body or person of the detenu, the petitioner's wife namely Umamaheswari, S/o.Sankar, D/o.Venkatesan, aged 27 years and the petitioner's minor daughter namely Indhurashmika D/o.Sankar, aged 8 years before this Court and set them at liberty.



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For Petitioner : Mr.V.Karuna
For R1 & R2 : Mr.R.Meenakshi Sundaram
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 husband of the detenu seeking to produce the alleged detenu namely Umamaheswari, S/o.Sankar, D/o.Venkatesan, aged 27 years and the petitioner's minor daughter namely Indhurashmika D/o.Sankar, before this Court and set them at liberty.

2. The case of the petitioner is that he got married to the alleged missing person Umamaheswari on 08.09.2013 as per Hindu Rites and Customs at Perumal Temples. Due to the wedlock, the petitioner and the missing person are blessed with a female child Indhurashmika on 26.03.2016. After the marriage, the petitioner is working in abroad and the missing person was in the matrimonial home. Later she had left the matrimonial home along with her daughter and taking cash and gold jewels. Thereafter, the petitioner had gone to the mother-in-law's house and he saw only his daughter and his mother-in-law informed him



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that his wife went to her relative house. Therefore, the petitioner has given a complaint before the second respondent on 05.06.2024.

3. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that based on the complaint given by the petitioner, an enquiry was conducted in CSR.No.166/2024 and during such time, the missing person appeared in person and stating that she voluntarily left the matrimonial home. She is not in illegal detention of anybody. Since the petitioner had left for abroad for work, her in-laws harassed her and hence, she had left the matrimonial home and living with her mother.

4. Finding that the alleged missing person is not in illegal detention of anybody, this habeas corpus petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
02.08.2024

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

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



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

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