



H.C.P(MD)No.1198 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD) No.1198 of 2024

N.Nagendiran

...Petitioner /husband of the detenu

Vs.

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

2. The Inspector of Police,
Devadhanapattti Police Station,
Theni District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Habeas Corpus, directing the
respondents 1 and 2 to secure person or body of the petitioner's wife



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namely, Sundari, 27 years old woman, and his sons namely, Yugesh, 10 years old minor boy and Deva, 8 years old minor boy from the illegal detention by someone in somewhere else, produce before this Court and set them at liberty.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

ORDER

The petitioner has filed this Habeas Corpus Petition for tracing his wife and children.

2. Notice was ordered. The second respondent has today produced the petitioner's wife as well as the two children.

3. The petitioner's wife Sundari has clearly informed us that she is not interested in living with the petitioner. We also enquired the two minor children. They also want to be with their mother and not with their father.



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4. We are satisfied that the petitioner's wife and two children are safe. It is open to the petitioner to move the jurisdictional civil Court/Family Court for appropriate relief including custody. We make it clear that the observation made in this order will not have any bearing on the petitioner's rights.

5. Accordingly, this Habeas Corpus Petition stands dismissed.

(G.R.S., J.) (R.P., J.)
05.11.2024

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



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



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G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

RM

ORDER MADE IN
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