



H.C.P.(MD)No.1311 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2024

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

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B.Maruthupandi

... Petitioner / Husband of Detenue

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Oomachikulam Sub Division,
Madurai District.

3.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

4.Dineshkumar

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Habeas Corpus, to direct the
respondents 1 to 3 herein to produce the body or person of the



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petitioner's wife namely Bharathi wife of Maruthupandi aged about 30 years before this Court and set her at liberty within the time stipulated by this Court.

For Petitioner : Mr.K.Rajesh

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1 to R3.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

The husband of the detenue is the petitioner before us. The petitioner's wife appears to have eloped with the fourth respondent. It is seen that the petitioner's wife was in regular touch with the fourth respondent. Her call data records clearly reveals the same. The petitioner had taken exception to the conduct of his wife. That had triggered the whole episode and the petitioner's wife had left the matrimonial home. The process of this Court cannot be used for resolving such elopement cases. The jurisdictional police have already registered a criminal case and it is for the petitioner to pursue his remedy with the jurisdictional police.



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2.The habeas corpus petition is dismissed.

(G.R.S. J.) & (R.P. J.)
08.11.2024

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

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Oomachikulam Sub Division,
Madurai District.
- 3.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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