



H.C.P.(MD)No.1389 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2024

CORAM

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

H.C.P.(MD)No.1389 of 2024

C.Dharmarajan

... Petitioner / Husband of Detenue

Vs.

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

2.The Inspector of Police,
Madukkur Town Police Station,
Thanjavur District.

3.R.Karthik

... 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 and 2 to produce the body or person of the detenue namely Maheswari, W/o.Dharmarajan, aged about 43 years from the illegal custody of the third respondent before this Court and set her at liberty.



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For Petitioner : Mr.V.Muthu Kamatchi

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1 & R2.

ORDER

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

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

2.The petitioner's wife left the matrimonial home along with the two children. The children were left in a relative's house and they have since returned safely. The petitioner's wife is aged around 43 years. She appears to have eloped with the third respondent. The process of this Court cannot be used for tracing out a person who had eloped. This habeas corpus petition is not maintainable. The second respondent has already registered Crime No.325 of 2024. It is for the petitioner to pursue the matter with the second respondent.



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3.This habeas corpus petition is dismissed.

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

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

To:-

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



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