



H.C.P.(MD)No.1428 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.11.2024

CORAM

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

H.C.P.(MD)No.1428 of 2024

Lingadurai ... Petitioner / Husband of the Detenue

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Thoothukudi District.

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

3.Thangaraj

4.Cristy ... 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 respondent Nos.1 and 2 to produce the body or person of the detenue by name Jasmine Jeyaruby, W/o.Lingadurai, aged 19 years before this Court and set her at liberty.



WEB COPY



H.C.P.(MD)No.1428 of 2024

For Petitioner : Dr.R.Alagumani

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 is the husband of the detenue. The fourth respondent was found missing since 16.10.2024. The marriage between the parties had taken place only on 04.10.2024. The petitioner alleges that the fourth respondent is in illegal detention and that her parents are forcibly holding her back.

3.We had an interaction with the fourth respondent and also her parents. The fourth respondent categorically informed us that she left the matrimonial home on her own accord and that she is staying with her parents out of her own volition. We are satisfied that it is not a case of



H.C.P.(MD)No.1428 of 2024

illegal detention. It is for the petitioner to move the jurisdictional Civil Court / Family Court for restitution of conjugal rights.

4. With the aforesaid liberty to the petitioner, this habeas corpus petition is dismissed.

(G.R.S. J.) & (R.P. J.)
15.11.2024

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

To:-

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thoothukudi District.
2. The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD)No.1428 of 2024

G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

ias

H.C.P.(MD)No.1428 of 2024

15.11.2024