



WEB COPY

HCP(MD)No.1505 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.1505 of 2023

M.Anbarasan

: Petitioner

Vs.

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

2.The Inspector of Police,
Melur Police Station,
Madurai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the second respondent to produce the person or body of the detenues, the petitioner's wife and children namely Karthika (aged about 27 years), Prawasthi (aged about 9 years) and Prithivi (aged about 6 years) and produce them before this Court and set them at liberty forthwith.



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For Petitioner : Mr.A.B.Jeeva
For Respondents 1&2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

[Order of the Court was made by **J.NISHA BANU, J.**]

Yesterday, when the matter was taken up for hearing, there was non-appearance on the side of the petitioner. Hence, the matter was directed to be listed today [09.01.2024] under the caption 'FOR DISMISSAL'.

2.Today, when the matter is taken up, learned Counsel for the petitioner is before us and seeks apology for his non-appearance during the previous hearing.

3.It is submitted by the learned Counsel for the petitioner that the the petitioner who is the husband of the detinue is before this Court stating that the detinue is missing along with two minor children.

4.Learned Additional Public Prosecutor appearing for the respondents submitted that the detinue is before this Court through



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video call and she submits that she does not want to live with her husband out of fear.

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5.In view of the above, the detenue is not in illegal detention or unlawful custody. Hence, nothing survives for further adjudication in this Habeas Corpus Petition.

6.Accordingly, this Habeas Corpus Petition is closed. There shall be no order as to costs.

[J.N.B.,J.] & [K.K.R.K.,J.]

09.01.2024

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

MR



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- 2.The Inspector of Police,
Melur Police Station,
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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J.NISHA BANU, J.

and

K.K.RAMAKRISHNAN, J.

MR

ORDER MADE IN

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09.01.2024