



H.C.P.(MD).No.1574 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 04.03.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD).No.1574 of 2023

J.Arulraj

.. Petitioner/Husband of the detenue

Vs.

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

2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.288 of 2023)

3.K.Ganakasabhpathi

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's wife Revathy aged about 24 years old and before this Court and set her at liberty.

For Petitioner : Mr.R.Srinivasan

For R-1 & R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor



H.C.P.(MD).No.1574 of 2023

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

The petitioner, who is the husband of one Revathy, aged about 24 years, has filed the present Habeas Corpus Petition alleging that his wife has eloped with the third respondent leaving two children and that the third respondent is a notorious element involved in a murder case on the file of the Muthiahpuram Police Station, Thoothukudi District and also similar case of abduction on the file of Samayanallur Police Station, Madurai District. The petitioner alleges that though a complaint was given to the second respondent Police regarding missing of his wife Revathy, they have not taken any steps to trace her.

2. The respondent Police has filed a detailed status report and has also secured the petitioner's wife and the third respondent, against whom, NBW is pending in Crime No.179 of 2020 for the alleged offences under Section 449 and 302 IPC.



H.C.P.(MD).No.1574 of 2023

3. The learned Additional Public Prosecutor submits that Muthiahpuram Police Station had been informed about the securing of the third respondent/accused for them to take custody of the third respondent, Ganakasabhpathi and produce him before the concerned Court, which has issued NBW.

4. The petitioner's wife, her mother and the petitioner along with the children are present before this Court today. When we enquired the petitioner's wife, Revathy, she states that she is not interested to join her family. In view of the fact that the petitioner's wife is alive, there is no cause to entertain the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

(G.J.,J.) (C.K.,J.)
04.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



H.C.P.(MD).No.1574 of 2023

To

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

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

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD).No.1574 of 2023

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

Lm

H.C.P.(MD).No.1574 of 2023

04.03.2024