



HCP(MD)No.1636 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

HCP(MD)No.1636 of 2023

D.Eswari

... Petitioner

vs.

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

2. The Inspector of Police,
Town North Police Station,
Dindigul,
Dindigul District.

3. Leela @ Deepa

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body or person of the petitioner's husband namely, Dhanasekar, S/o. Pandian, aged 27 years from the illegal custody of the 3rd respondent herein, before this Court and set him at liberty.

For Petitioner

: Mr.C.Ezhilarasu

For R1 & R2

: Mr.RMS.Sethuraman

Additional Public Prosecutor



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ORDER

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

The petitioner has loved one Dhanasekar and married him in the year 2019. They both were living together for four years. On 04.07.2022, under the guise of searching job, her husband left the home but did not return. Attempt to trace him did not yield any fruitful result. Hence, she has given a complaint to the Police on 16.07.2022. The respondent/Police registered a case in Crime No.413/2022 for man missing. Suspecting that he might have been abducted by the 3rd respondent, another complaint been lodged and thereafter she has approached this Court by filing the HCP.

2. The respondent/Police on notice after due investigation has secured Dhanasekar who was employed as Managing Director in Express Indian Jobs Private Ltd., Ariyankuppam, Pondicherry. The said Dhanasekar appeared before this Court and he refused to join with his wife for reasons best known to him. Being an adult, the Court cannot force him to join with his wife.



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3. Since the detenu been secured and no cause of action for the HCP survives, giving liberty to the petitioner to work out her remedy in the manner known to law, the Habeas Corpus Petition is closed and the Police shall also take note of the development in this case and proceed as per law. No costs.

(G.J., J.) (C.K., J.)
19.02.2024

Index : Yes / No
Neutral Citation : Yes / No
bala

To

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Dindigul District,
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Dindigul District.



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and
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ORDER MADE IN
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