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H.C.P.No. 839 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE **N.MALA**
and
THE HONOURABLE MR.JUSTICE **G.ARUL MURUGAN**

H.C.P.No. 839 of 2025

M.Ganesh Kumar

... Petitioner

vs

1.The State

Rep. By its Superintendent of Police, Tirupur,
Palladam Main Road,
KaruppaGaundanpalayam,
Tiruppur, Tamil Nadu 641 604.

2.The Inspector of Police,

North Police Station, Tiruppur – 641 601.

3.Marimuthu

4.Vijaya

5.Karthikraj

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Habeas Corpus directing the 2nd respondent
police to produce the petitioner's wife Manimala, aged about 36 years
before this Court and set her at liberty and to consequentially produce
the petitioner's minor son Krishiv S/o. M. Ganesh Kumar, aged about

Page Nos.1/4



H.C.P.No. 839 of 2025

14 years and petitioner's minor daughter Nikitha Shri D/o M.Ganesh Kumar, aged about 10 years before this Court and hand over the custody to the petitioner.

For Petitioner : Ms.V.Srimathi

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1 and R2

ORDER

[Order of the Court was made by **G.ARUL MURUGAN, J.,**]

Alleging that the wife and children of the petitioner are under the illegal detention of respondents 3 to 5, the petitioner/husband has filed the present habeas corpus petition seeking a direction to the second respondent to produce them before this Court and set them at liberty.

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

3. It is submitted that already the wife has filed H.M.O.P.No.39 of 2025 seeking divorce before the Family Court, Tiruppur and it has been dismissed for default and steps are being taken to restore the same.

Page Nos.2/4



H.C.P.No. 839 of 2025

WEB COPY

4. Today, the wife and two children are produced before this Court.

5. On enquiry, the wife submits that they are not under the illegal custody of any one and now they are residing in the very same address which is shown in the petition by the petitioner.

6. Recording the statement of the wife that they are not under the illegal custody of any one, this habeas corpus petition is closed. It is for the husband to workout his remedy in the manner known to law. No costs.

(N.M.,J.) (G.A.M.,J.)
08.05.2025

Index : Yes / No
Neutral Citation : Yes / No
mmi/gpa

To

1.The Superintendent of Police, Tirupur,
Palladam Main Road,
KaruppaGaundanpalayam,
Tiruppur, Tamil Nadu 641 604.

Page Nos.3/4



WEB COPY



H.C.P.No. 839 of 2025

**N.MALA, J.,
and
G.ARUL MURUGAN, J.,**

gpa

2.The Inspector of Police,
North Police Station, Tiruppur – 641 601.

3.The Public Prosecutor
High Court, Madras.

H.C.P.No. 839 of 2025

08.05.2025

Page Nos.4/4