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HCP No.2009 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

HCP No.2009 of 2025

P.Chinnaiyan
S/o.Pichamuthu,
No. 87, East Street, Mangalore Village,
Veppur Taluk, Cuddalore District.

Petitioner(s)

Vs

1.The Superintendent of Police
Office of the Superintendent of Police,
Cuddalore District.

2.The Sub Inspector of Police
Sirupakkam Police Station,
Cuddalore District.

3.P.Kolanchi
S/o. Pulogam, Mangalore Village,
Veppur Taluk, Cuddalore District.

4.K.Shama
W/o. Kolanchi, S/o.Pulogam,
Mangalore Village, Veppur Taluk,
Cuddalore District.



HCP No.2009 of 2025

Respondent(s)

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Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 herein to produce the petitioner's wife Vaishnavi, aged about 22 years, before this Court and set her at liberty by considering petitioner's representation dated 12.09.2025.

For Petitioner(s): Mr.D.Muthuselvam

For Respondent(s): Mr.A.Damodaran
Additional Public Prosecutor
assisted by Ms.Arifa Thasneem

ORDER

(Made by N.Sathish Kumar, J.)

This habeas corpus petition has been filed seeking to direct the respondents 1 and 2 herein to produce the petitioner's wife Vaishnavi, aged about 22 years, before this Court and set her at liberty by considering petitioner's representation dated 12.09.2025.

2. On 09.10.2025, this Court passed the following order:



HCP No.2009 of 2025

“2. When the matter was taken up for hearing today, the learned Additional Public Prosecutor submitted that the detenue had eloped with one Shiva and she is now nine months pregnant.

3. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the respondents police to produce the detenue before the learned Judicial Magistrate – I, Virudhachalam, on 13.10.2025 for recording the statement of the detenue.”

3. Pursuant to the directions of this Court, the detenue Vaishnavi was produced before the Judicial Magistrate No.I, Virudhachalam and detailed statement were recorded, a copy of which, is produced before this Court.

4. A perusal of the statement given by Vaishnavi shows that she was not happy with the petitioner, since she was forced to marry the petitioner when she was aged about fifteen years and after marriage, she was subjected to various torture by the family members including the petitioner and therefore, she joined a job in mill, where, she developed a relationship with one Jeeva and married him; when she informed about her marriage with Jeeva, the petitioner and his family members asked her to remove her



HCP No.2009 of 2025

“Thali” and accordingly, she gave back her “Thali” to the petitioner's family members; now, she is pregnant.

5. Taking into consideration the fact that the petitioner's wife is a major and the statement given by her before the Judicial Magistrate No.I, Virudhachalam, it cannot be stated that Vaishnavi is in the illegal custody of anyone for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed.

(N.S.K., J.) (M.J.R., J.)

25-10-2025

nsd



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HCP No.2009 of 2025

To

1.The Superintendent of Police
Office of the Superintendent of Police,
Cuddalore District.

2.The Sub Inspector of Police
Sirupakkam Police Station,
Cuddalore District.



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HCP No.2009 of 2025

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

nsd

HCP No.2009 of 2025



WEB COPY



HCP No.2009 of 2025

25.10.2025