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H.C.P.No.2052 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M. JOTHIRAMAN

H.C.P.No.2052 of 2025

Manikandan

... Petitioner

Vs.

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

2.The Inspector of Police,
Kachirapalaiyam Police Station,
Kallakurichi District.

3.Vinoth

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce petitioner's wife namely Gayathri, aged about 27 years, before this Court and set her at liberty.



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For Petitioner : Mr.N.Ranjith Kumar
For R1 and R2 : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

(Order of the Court was made by **N. SATHISH KUMAR, J.**)

This Habeas Corpus Petition has been filed to produce the petitioner's wife, namely Gayathri, aged about 27 years, before this Court and set her at liberty.

2.According to the petitioner, his wife was missing from 15.07.2025 from her house and therefore, he gave a complaint and the same was registered in Crime No.247 of 2025 for “woman missing”. However, so far, she is not found. It is further stated by the petitioner that his wife used to talk with the 3rd respondent, which had subsequently developed into extra marital affair between them. Therefore, the petitioner suspects that the 3rd respondent would have abducted his wife. The petitioner is having two children. Since the investigation is not proceeding further, the petitioner has come forward with this Habeas Corpus Petition.



H.C.P.No.2052 of 2025

WEB COPY

3.Learned Additional Public Prosecutor, on instructions, would submit that the petitioner's wife has eloped with the 3rd respondent.

4.The petitioner's wife is aged about 27 years. When the petitioner's wife, who is a fully grown-up woman, has voluntarily eloped with someone, we are of the view that, in such cases, a Writ of Habeas Corpus Petition cannot be entertained. If at all the petitioner is interested in reunion with his wife, it is for him to file a petition for restitution of conjugal rights before the appropriate forum.

5.With these observations, this Habeas Corpus Petition is dismissed.

No costs.

(N.S.K., J.) (M.J.R., J.)
23.10.2025

mkn

Internet : Yes

Index : Yes / No

Speaking Order / Nonspeaking order

Neutral Citation : Yes / No

To

Page 3 of 5



H.C.P.No.2052 of 2025

- WEB COPY
- 1.The Superintendent of Police,
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Kallakurichi District.
 - 3.The Public Prosecutor,
High Court, Madras.

N. SATHISH KUMAR, J.
and



WEB COPY



H.C.P.No.2052 of 2025

M. JOTHIRAMAN, J.

mkn

H.C.P.No.2052 of 2025

23.10.2025