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H.C.P.No.3290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.3290 of 2024

A.Anjali .. Petitioner

v.

1. The Superintendent of Police
Thiruvallur District, Thiruvallur

2. The Inspector of Police
R.K.Pet Police Station
Thiruvallur District

3. Rebha Shalini
D/o Padmanaban .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the 2nd respondent herein to produce the body or person of petitioner's husband J.Sudhakar, son of Janarthanam, aged about 43 years from the custody of the 3rd respondent, before this Hon'ble Court and set him at liberty.



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For Petitioner :: Mr.M.N.Kathir
For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor
for R1 & R2

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ of habeas corpus has been instituted to direct the second respondent to produce the petitioner's husband Mr.J.Sudhakar, S/o Janarthanam, aged about 43 years.

2. The detenu is an ex-serviceman, who retired from Indian Army on 30.11.2024. The marriage between the petitioner and the detenu was solemnized and two children were born from and out of their wedlock. The learned counsel for petitioner would submit that the detenu has neglected his children and not providing adequate means to meet the educational and other expenditures of the children. However, the detenu, who appeared in person, made a submission that he is paying maintenance. Therefore, it is for the petitioner to redress her grievance in the manner known to law. It is brought to the notice of this Court that matrimonial disputes and claim regarding



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maintenance are sub judice before the competent Court. As far as the present habeas corpus petition is concerned, the detenu is present and he says that he is presently staying at Vellore and had gone to Hyderabad in search of job. Thus he is not under illegal detention and the petitioner is at liberty to workout her remedy with reference to the matrimonial disputes by approaching the competent Court of law. The habeas corpus petition stands disposed of.

Index : yes/no

(S.M.S.,J.)

(M.J.R.,J.)

Neutral citation : yes/no

02.01.2025

ss

To

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Thiruvallur District, Thiruvallur
2. The Inspector of Police
R.K.Pet Police Station
Thiruvallur District
3. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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