



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

HCP No. 2436 of 2025

Buvaneswari

W/O Vinoth,

Petitioner(s)

Vs

1. The Superintendent of Police

Kallakurichi District.

Kallakurichi

2.The Inspector Of Police

Kallakurichi Police Station,

Kallakurichi District.

3.Gayathri

Respondent(s)



PRAYER

This Writ petition filed under Article 226 of the Constitution of India to pass a WRIT OF HABEAS CORPUS to direct the 2nd respondent to produce the person or body of the detenu namely, Vinoth son of Rajagopal aged about 34 years before this Honourable Court from the illegal custody of the 3rd respondent and set him at liberty.

For Petitioner(s): Mr. J. Pradeep

For Respondent: Mr. A.Damodaran,
Addl. Public Prosecutor
for R1 and R2

Asstd., by
Mr.M.Karthikeyan

ORDER

This writ of habeas Corpus has been filed to produce the husband of the petitioner, namely Vinoth, from the alleged illegal custody of the third respondent.



2. The petitioner is the wife of the detenu, aged about 34 years.

According to the petitioner, her husband/detenu left the house on 15.07.2025.

Hence, the present petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the petitioner's husband had voluntarily eloped with the third respondent and based on the complaint given by the petitioner, a case in Crime No.432 of 2025 has has been registered under "Man Missing."



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4. Considering the said submission, and the fact that the petitioner's husband voluntarily left the matrimonial home, it cannot be said that his detention is illegal. It is open to the petitioner to approach the competent Civil Court for appropriate relief, including restitution of conjugal rights, if she intends to continue the martial life. The second respondent shall continue the investigation into the petitioner's complaint.

5. With the above observations and directions, this Habeas Corpus Petition is disposed of.

21-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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- 1.The Superintendent of Police
Kallakurichi District.
- 2.The Inspector Of Police
Kallakurichi Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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HCP No. 2436 of 2025



N.SATHISH KUMAR J.
AND
M.JOTHIRAMAN J.

mrp

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