



H.C.P.No.2514 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

CORAM

THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.2514 of 2025

Murthi
S/o.Vellaikannan,
Chinnasamuthiram Village,
Samuthiram Post, Tirupattur District.

Petitioner(s)

Vs

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

2.The Inspector of Police,
Kurisilapet Police Station, Tirupattur District.

3.Aaron
C/o.Peetermuthu,
Lakshmi Nagar, Tirupattur District.

Respondent(s)



H.C.P.No.2514 of 2025

Habeas Corpus Petition filed under Article 226 of the Constitution of

India directing the first and second respondents herein to produce the petitioner's minor second daughter *viz.* Desika, aged about 9 years and wife Nithya, aged about 28 years, before this Court from the illegal custody of the third respondent and set them at liberty.

For Petitioner(s) : Mr.R.Parthiban

For Respondent(s) : Mr.A.Damodaran
Additional Public Prosecutor
assisted by Mr.M.Karthikeyan

ORDER

(made by P.VELMURUGAN, J.)

The habeas corpus petition has been filed seeking a direction to the first and second respondents herein to produce the petitioner's minor second daughter *viz.* Desika, aged about 9 years and wife Nithya, aged about 28 years, before this Court from the illegal custody of the third respondent and set them at liberty.



2. It is the case of the petitioner that his wife *viz.* Nithya, aged about 28 years, went missing from 12.04.2024 along with his second daughter; therefore, he lodged a complaint before the second respondent/police on 18.04.2024, pursuant to which, a case in Crime No.153 of 2024 was registered for “woman and girl missing” on 19.04.2024; since the police are not taking effective steps to secure his wife, he has filed the present habeas corpus petition.

3. The second respondent/police has secured the detinue and produced her before this Court today. The petitioner is also present before this Court along with the three children.

4. When enquired by us, the detinue *viz.* Nithya informed that she has married the petitioner and begot three children, but, now she is not willing to go with the petitioner.

5. In such view of the matter, this is not a case, where, the wife of the petitioner is said to be in illegal custody of anyone, for the issuance of habeas corpus. That apart, since Nithya is a major, this Court cannot compel her to go with the petitioner against her will.



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6. Recording the same, this habeas corpus petition is closed. The petitioner and the detenue are at liberty to work out their remedies before the appropriate forum.

(P.V., J.) (M.J.R., J.)
08.12.2025

nsd



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To

- 1.The Superintendent of Police,
Tirupattur District, Tirupattur.
- 2.The Inspector of Police,
Kurisilapet Police Station, Tirupattur District.
- 3.The Public Prosecutor
Madras High Court, Chennai – 600 104



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P.VELMURUGAN, J.
and
M.JOTHIRAMAN, J.

nsd

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