



*HCP(MD)No.685 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 04.07.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA  
and  
THE HONOURABLE MR.JUSTICE G. ARUL MURUGAN**

**HABEAS CORPUS PETITION(MD)No. 685 of 2025**

Ranjith Kumar

... Petitioner

VS.

1. State rep. by the  
Superintendent of Police,  
Madurai District.

2.The Inspector of Police,  
Usilampatti Police Station,  
Usilampatti Taluk,  
Madurai District.  
(Crime No.372 of 2024)

3. Kannan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to direct the 2<sup>nd</sup> respondent to produce the petitioner's wife namely Jothika, D/o. Dharmar aged about 27 years and his younger son namely Lithik Pandian, S/o. Ranjith aged 5 years before this Court and set them at liberty.

For Petitioner

: Mr.M. Murugan

For Respondents 1 & 2

: Mr. M.Nambiselvan  
Additional Public Prosecutor



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**ORDER**

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[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

This Habeas Corpus Petition has been filed to direct the 2<sup>nd</sup> respondent to produce the petitioner's wife viz., Jothika, D/o. Dharmar, aged 27 years and his younger son viz., Lithik Pandian, S/o. Ranjith, aged 5 years before this Court and set them at liberty.

2. The case of the petitioner is that he got married to one Jothika in the year 2017. They were blessed with two male children, namely Dheeran Pandian, aged about 10 years, and Lithik Pandian, aged about 5 years. On 28.08.2024, the wife of the petitioner along with her sons, had gone to her mother's house. However, on 02.09.2024, when the petitioner visited her grandmother's house, he found that his wife and his younger son were missing. Upon enquiry, he came to know that his wife had eloped with the third respondent, taking the younger son along with her. The petitioner lodged a complaint before the second respondent regarding missing of his wife and son and the second respondent also registered a case in Crime No. 372 of 2024 under the caption of “Women and Boy Missing.” Since no further action has been taken, the petitioner has approached this Court by filing the present Habeas Corpus

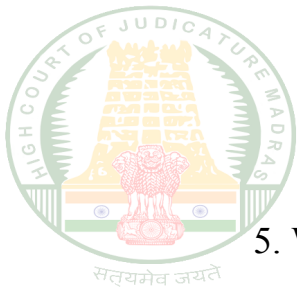


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3. The learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that, based on the complaint given by the petitioner, a case was registered in Crime No. 372 of 2024 for women and boy missing. During the course of the investigation, the petitioner's wife was traced at Trichy District, where she was found to be living with the 3<sup>rd</sup> respondent. It was also found that she had taken the child along with her to the 3<sup>rd</sup> respondent, and that they were not in unlawful custody. Therefore, she was directed to appear before this Court along with the child. Pursuant to this direction, they appeared before this Court.

4. We enquired the wife of the petitioner, namely Jothika. She informed us that her marriage with the petitioner was solemnized in the year 2017, and two children were born out of the wedlock. Subsequently, the petitioner continuously harassed her after consuming alcohol. As a result, she left the matrimonial home and eloped with the third respondent in the month of September 2024. She further stated that she is not under illegal detention of anybody and that she left the matrimonial home solely due to the harassment made by the petitioner.



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5. We find that the petitioner's wife is not in illegal custody, and the child, aged about 5 years, is also in her lawful custody, which is not illegal.

6. In light of the above observation, this Habeas Corpus Petition is disposed of. However, liberty is granted to the petitioner to approach the appropriate forum to seek custody of the child.

[A.D.J.C., J.]

[G.A.M., J.]

04.07.2025

Index : Yes / No

Neutral Citation : Yes / No

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To:

1. The Superintendent of Police,  
Madurai District.

2. The Inspector of Police,  
Usilampatti Police Station,  
Usilampatti Taluk,  
Madurai District.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

**A.D.JAGADISH CHANDIRA, J.**

**AND**

**G. ARUL MURUGAN, J.**



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**ORDER MADE IN**  
**HCP(MD)No.685 of 2025**

**DATED : 04.07.2025**