



H.C.P(MD)No.721 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.721 of 2025

Muthukumar

... Petitioner/Husband
of the Detenu

Vs.

1.The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Tirunelveli District.

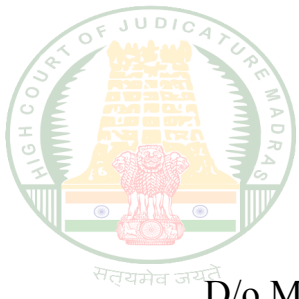
2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

3.Kumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's wife namely, Pavithra,

Page No.1 of 7



H.C.P(MD)No.721 of 2025

D/o.Mariappan, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.B.Nambi Selvan – for R1 & R2

Additional Public Prosecutor

Mr.A.S.Krishnan – for detenu

ORDER

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

This Habeas Corpus Petition is filed to direct the respondents 1 and 2 to produce the body or person of the petitioner's wife namely, Pavithra, D/o.Mariappan, aged about 19 years, before this Court.

2. The case of the petitioner is that he was married to one Pavithra D/o.Mariappan on 09.04.2025 and that on 14.04.2025 his wife had gone to Valliyoor. However, she did not come to her back home on that day. When the petitioner tried to contact her, he was unable to reach her and her whereabouts were not known to him. The petitioner apprehended that the third respondent abducted her and kept her in illegal custody. Hence, the petitioner had lodged a complaint before the 2nd respondent to secure his wife from the illegal custody of the third



H.C.P(MD)No.721 of 2025

WEB COPY

respondent. Since the second respondent did not take any action, he has filed the present Habeas Corpus Petition.

3. The learned Additional Public Prosecutor submitted that the petitioner claims that he had married the alleged missing person Pavithra and he had sent a complaint through registered post on 17.06.2025 and immediately on 19.06.2025, he had filed this Habeas Corpus Petition.

4. He further submitted that during enquiry, it came to light that the claim of the petitioner is not true and that the missing person Pavithra, whom he claims to be his wife is now living with her biological father at Moonaru. He further submitted that earlier the aunt of the missing person Anandhakumari had given a complaint on 15.05.2025 against the petitioner contending that the petitioner had taken all the educational certificates of the missing person Pavithra and refusing to return it back to her. Based on the complaint, an enquiry was conducted in C.S.R.No.276 of 2025 and during such time, the petitioner had appeared before the 2nd respondent police and had returned back all the



H.C.P(MD)No.721 of 2025

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original certificates to her. The petitioner is well aware of the disputes pending between the missing person and him and he has abused the process of law and has filed this Habeas Corpus Petition before this Court with false averments.

5. Heard the learned counsel on either side and perused the materials available on record.

6. The alleged missing girl Pavithra is present along with her biological father Mariappan before this Court today.

7. We enquired the alleged missing girl Pavithra. She submitted that she is now living with her father Mariappan at Moonaru. She submitted that the petitioner had misled her and on the guise of getting a job and got her signature in certain papers and later he told her that he has married the missing girl, Pavithra as per the Christian rites. She denies the marriage. She expressed her willingness to go along with her father.



H.C.P(MD)No.721 of 2025

WEB COPY

8. We find that the petitioner has abused the process of this Court by filing this Habeas Corpus Petition. He has sent the representation only on 17.06.2025 and immediately within two days, he has filed this Habeas Corpus Petition before this Court.

9. In view of the same, this Habeas Corpus Petition stands dismissed with cost. The Petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to Rojavanam, Home for the aged, Uthangudi, Madurai District, as costs, within a period of one week from the date of receipt of a copy of this order.

10. Post the matter on 16.07.2025 “for reporting compliance”.

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

[R.P., J.]

02.07.2025

Index : Yes / No

Neutral Citation : Yes / No

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Note : Issue Order copy on 07.07.2025

Page No.5 of 7



H.C.P(MD)No.721 of 2025

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To:

- 1.The Superintendent of Police,
State of Tamil Nadu,
Tirunelveli District.
- 2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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H.C.P(MD)No.721 of 2025

A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

rm

ORDER MADE IN
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DATED : 02.07.2025