



H.C.P(MD)No.952 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

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Nathiya

... Petitioner/
Wife of the detainee

-Vs-

State rep by
The Superintendant of District Jail,
Sub-Jail Pudukkottai,
Pudukkottai District.

... Respondent

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents to produce the detenu Gunasekaran, son of Govindasamy aged about 40 years from the illegal custody of the respondent before this Court and set him at liberty.



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For Petitioner : Mr.M.Beema Rao
For R1 to R3 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

This Habeas Corpus Petition is filed for a direction to the respondent to produce the detenu, viz, Gunasekaran, son of Govindasamy, aged about 40 years from the illegal custody of the respondent before this Court and set him at liberty.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.The case of the petitioner is that her husband viz., Gunasekaran, is an accused in Crime No.8 of 2025 registered by CCD-III Police Station, Pudukottai on 02.05.2025 for the offence under Sections 318(4) BNS Act, and 66D of IT Act, and he was remanded to judicial custody on 04.06.2025. The petitioner's husband had filed an application for bail in CrI.O.P(MD)No.12352 of 2025 before this Court and this Court, vide order dated 23.07.2025, had granted bail to the



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petitioner's husband and the petitioner's husband had been offered surety before the Judicial Magistrate No.II, Pudukottai, on 25.07.2025. The Court had sent all the relevant records to the respondent jail to release of the petitioner's husband. Despite receipt of the order from the Court, the petitioner's husband had not been released from jail and thereby detaining the petitioner's husband under illegal custody and hence, the present Habeas Corpus Petition is filed .

4.The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner's husband is also an accused in Crime No.70 of 2024 registered for the offence under Sections 318(4) BNS and 66D IT Act, by the Cyber Crime Police Station, Saharanpur, Uttar Pradesh, in respect of the crime number and the learned Additional Chief Judicial Magistrate No.II, Saharanpur, had issued PT warrant for production of petitioner's husband before the Court on 22.08.2025. The order of PT warrant has been received by the prison authority on 22.07.2025, whereas, the petitioner's husband has been granted bail by this Court only on 25.07.2025 after furnishing the surety, the records have reached the prison officials on 25.07.2025, since PT warrant issued in respect of the petitioner's husband is pending, the respondents have not released the



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petitioner's husband on bail. He further submitted that the petitioner's husband is not under illegal detention.

5. Recording the submissions made by the learned Additional Public Prosecutor, this Habeas Corpus Petition stands closed. If the petitioner's husband has not involved in any other case, he shall be released, as directed by this Court.

[A.D.J.C.,J.] & [R.P.,J.]
11.08.2025

NCC:Yes/No

Index:Yes/No

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To

1.The Superintendant of District Jail,
Sub-Jail Pudukkottai,
Pudukkottai District.

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



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.
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ORDER MADE IN
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