



H.C.P(MD)No.1012 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Amudha

**... Petitioner/
Wife of the detainee**

-Vs-

**1.The State of Tamil Nadu,
represented through its,
The Commissioner of Police,
Madurai City,
Madurai-625 002.**

**2.The Inspector of Police,
K.Pudhur Police Station,
Madurai-600 007.**

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the petitioner's husband namely Senthil Kumar S/o.Kathirvelu before this Court and set him at liberty.



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For Petitioner : Mr.S.Deepika
For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor
Mr.P.Praveenkumar
for Detenue

ORDER

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

This Habeas Corpus Petition is filed to direct the respondents to produce the person or body of the petitioner's husband namely, Senthil Kumar S/o.Kathirvelu before this Court and set him at liberty.

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

3.The case of the petitioner is that the wife has filed a maintenance case against her husband/missing person in M.C.No.238 of 2025 on the file of the learned II Additional Family Court, Chennai. Due to non appearance of the detenue in the maintenance case in M.C.No.238 of 2015, the learned II Additional



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Family Court, Chennai, has issued a bailable warrant against her husband. The petitioner has made a complaint before the respondent to find out the whereabouts of the petitioner's husband. Since no action has been taken, the present Habeas Corpus Petition is filed.

4. When the matter was taken up for hearing on 25.08.2025, the learned Additional Public Prosecutor took notice for the respondents and thereby, this Court directed the matter to be listed after two weeks.

5. A mention was made by the learned Additional Public Prosecutor in the morning stating that the alleged missing person has been secured and that he would be produced before this Court.

6. Pursuant to which, the missing person is produced before this Court.

7. We enquired the missing person namely, Senthil Kumar S/o. Kathirvelu, he submitted that he got married to the petitioner in the year 2007. After some time, due to matrimonial dispute, they are living separately. He submitted that the



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petitioner/wife has filed maintenance petition in M.C.No.238 of 2015 on the file of the learned II Additional Family Court, Chennai. He further submitted that he is working as an auto driver and that he met with an accident and underwent surgery on his head, and his skull was opened. Due to his illness, he was unable to appear before the learned II Additional Family Court, Chennai. However, since he was unable to appear before the Family Court, the NBW was issued against him. Hence, he is taking steps to recall the warrant through his counsel.

8.Recording the submission made by the missing person, since the missing person is not in illegal detention of anybody, this Habeas Corpus Petition stands closed.

[A.D.J.C.,J.] & [R.P.,J.]
26.08.2025

NCC:Yes/No
Index:Yes/No
vsg



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To

- 1.The Commissioner of Police,
Madurai City,
Madurai-625 002.
- 2.The Inspector of Police,
K.Pudhur Police Station,
Madurai-600 007.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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

vsg

ORDER MADE IN

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