



H.C.P.(MD) No.1281 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD) No.1281 of 2025

P.Jeyakumar

... Petitioner

Vs

1. State of Tamilnadu, Rep. By,
The Inspector General of Police,
Madurai South Zone, Madurai.

2. The Superintendent of Police,
Superintendent of Police Office,
Madurai District.

3. State of Tamilnadu Rep by
Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the 3rd respondent to produce the body or person of petitioners daughter namely Sneka, D/o. Jayakumar, Female 23 yrs, before this Court set him at liberty.

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For Petitioner : Mr.Dharmaraj. G,
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.V.KARTHIKEYAN, J.]

This petition has been filed by a father expressing deep grievance that his daughter has been missing on and from 31.05.2025, when she had been admitted to the Usilampatti Government Hospital owing to injuries and other ailments suffered as a result of domestic violence at the hands of the fourth respondent who is her husband. The petitioner and the fourth respondent had been blessed with a young boy. However, in this connection an FIR in Crime No.210 of 2025 have been registered under the caption women missing by the third respondent.

2.When the matter came for consideration today, the learned Additional Public Prosecutor informed that they had secured the detenu and one Vignesh, who is living with the detenu and that she was also four months pregnant.



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3. Today, the petitioner and his wife/parents of the detenu are present. The detenu was also present. The respondents were also able to secure the said Vignesh. The parents of the detenu informed that the detenu's husband and his family members had taken away the child to Gujarat, where he is now earning and living. We have referred this matter to Mediation and Conciliation Centre attached to this Bench to have a discussion with the petitioner, his wife, the detenu and one Vignesh, since she had an extramarital relationship with Vignesh and also now she is carrying his child in the womb, even when the marriage with the fourth respondent is subsisting.

4. We are grateful to the efforts taken by the Mediation and Conciliation Centre attached to this Bench, particularly by the Mediators, Mr. Tirupati and Mrs. G. Vidhyamal, who had put in their best efforts, but unfortunately, they could not arrive at any conciliation. We would extract their report, which had been signed by the detenu, the petitioner and by the learned counsel for the petitioner and also by the woman constable, who had produced the detenu before us and the same runs as follows:



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“Detenue J.Sneha Prest today in front of Mediation along with Mr.Vignesh who is informed as she married him on 02.06.2025. Her parents also appeared before mediation and one Women Police WCRL-1436 Muthulaxmi, Usilampatti Town Police Station also appeared. After detailed mediation, the detenue want to go along with Mr.Vignesh after informing her parents.”

5.We thereafter had a discussion with the parents of the detenu and we informed them the decision taken by the detenu to go along only with the Vignesh and not with them. We also had tried to counsel the detenu, but she was firm in her opinion that she only go with Vignesh. She also admitted that the father of the child in the womb is the said Vignesh. To confirm this fact, we also called Vignesh and he also stated that he is the father of the child in the womb of the detenu. The detenu has crossed aged of 18 years and is in a position to take a decision of her own. She has expressed her firm opinion that she would only go with Vignesh.

6.The detenu and the fourth respondent will have to take necessary steps with respect to the matrimonial dispute which have arisen between two of them.



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Since she had been produced in person and she had expressed her opinion very firmly, no further orders are required to be passed in this petition. Accordingly, this habeas corpus petition is closed.

[C.V.K., J.] [R.V., J.]
03.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
LR

To:

1. State of Tamilnadu, Rep. By,
The Inspector General of Police,
Madurai South Zone, Madurai.
2. The Superintendent of Police,
Superintendent of Police Office,
Madurai District.
3. State of Tamilnadu Rep by
Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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