



HCP(MD). No.1355 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27/11/2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

HCP(MD). No.1355 of 2025

M.Vijaya

... Petitioner/Mother of the detenue
Vs.

1. State of Tamilnadu rep. By its
The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Vikramangalam Police Station,
Madurai District.

3.Vijayakumar

... Respondents

PRAYER : This petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondent Nos.1 and 2 to produce the body or person of the petitioners daughter Aparna D/o.Mohan aged about 19 years before this Court and set her at liberty.



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For Petitioner : Mr.R.Venkatesan
For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
For R3 : Mr.A.Prasanna Rajadurai

ORDER

(Order of the court was made by C.V.KARTHIKEYAN., J.)

This petition has been filed by a father expressing grievance that his daughter, who has completed D.Pharmacy and is now undergoing training at Government Rajajai Hospital at Madurai, has been missing on and from 14.11.2025.

2. The petitioner had also impleaded the third respondent.

3. The detainee had been secured by the second respondent/the Inspector of Police, Vikaramangalam Police Station, Madurai District and produced before us on 26.11.2025.

4. On 26.11.2025, we had referred the matter to the mediation and conciliation centre and thereafter we called the matter again and the parents of the detainee were also present. We came to know that the third



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respondent is a married man and also has a son. The wife of the third respondent and her son are also present in the court. The wife of the third respondent stated that divorce petition is pending before the Subordinate Court, Usilampatti and final orders have not yet been passed.

5. When the matter came up before us on 26.11.2025, we made a request to the learned Additional Public Prosecutor to accommodate the detenue at a one stop Centre at Madurai and bring her again before this Court today i.e on 27.11.2025.

6. We had called for an affidavit to be filed by the third respondent that he would not interfere with the peace of the detenue and also would not have any further relationship with her till he gets divorce from his wife.

7. Today, the detenue and her parents are present in the court.

8. An affidavit had been filed by the third respondent. We would extract paragraph Nos.4 and 5 of the affidavit, which are as follows:



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"4. I humbly submit that earlier I got married with one Vanitha D/o.Rasu of Mottaiyanaickenpatti, Usilampatti Taluk, Madurai District on 06.07.2016 and we were blessed with one male child namely Jaswant. Due to difference of opinion and for other matrimonial dispute and issues between me and about said Vanitha, I separated from them continuously more than 8 years and no any communication with them. We got customary divorce as per our Hindu Piramalai Kallar community custom and rights immediately after my son birth, but for its legal sanctity I filed a divorce petition in HMOP No. 152 of 2019 to dissolve our marriage and the same is still pending before the Hon'ble Sub Court, Usilampatti, Madurai District and I also paying maintenance a sum of Rs. 10,000/-(Ten thousand) monthly to my son and above said Vanitha, and now I am living separately at Bangalore.

5. I humbly submit that I deny all the allegations raised against me by the petitioner in HCP(MD) No. 1355 of 2025. I am also a close relative to the above said HCP petitioner and the detenue namely Abarna. I give an undertaking by this affidavit before this Hon'ble court that, I never disturbed the peaceful life of the detenue Aparna daughter of Mohan and further I will never disturb her peaceful life till I properly get divorced legally in HMOP No.152 of 2019".

9. We have enquired with the detenue and she stated that she would continue her training at the Government Rajaji Hospital at



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Madurai and would stay in a hostel, where similar trainees are staying.

She also stated that her parents can contact her through cell phone and that they can also visit her. The parents, who are present before this Court, are agreeable to the arrangement made.

10. We would place a direction to the third respondent to strictly comply and abide with the undertaking given by him in the affidavit that he will not disturb the peaceful life of the detinue until he gets properly divorced from his wife.

11. Recording the said undertaking and since the detinue had been secured, we close this Habeas Corpus Petition.

(C.V.K., J.) (R.V., J)
27.11.2025

CM



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To,

The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Vikramangalam Police Station,
Madurai District.

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



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**C.V.KARTHIKEYAN., J
and
R.VIJAYAKUMAR., J.**

CM

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Date : 27/11/2025