



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 699 of 2026

Keerthananaa
W/o. Magesh
D/o. Ramanathan
No.8, Sai Ram Flats,
Thirunavukkarasu Street,
Ganamoorthy Nagar,
Ambattur, Ambattur Taluk
Tiruvallur District - 600 053.

..Petitioner(s)

Vs

1. The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Avadi Police Commissionarate,
Avadi - 600 054.
2. The Inspector of Police,
T-1, Ambattur Police Station,
Red Hills District,
Crime No.887/2025.
3. Janani
W/o.Yogesh Kiran,
Flat No.S2 2nd floor,
Mayur Home, Samuel Colony,
Palvady Street Extension, Nerkundram,
Koyambedu, Chennai - 600 107.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, to issue a
Writ of Habeas Corpus or direction or order in the nature of writ directing the



2nd respondent herein to produce the Petitioner's husband namely Magesh S/o. Sankaranarayanan aged about 36 years before this Hon'ble Court from the illegal custody of the 3rd respondent and set his at liberty.

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For Petitioner(s): M.Vignesh

For Respondent(s): Mr.C.R.Malarvannan, (for R1 & R2)
Counsel for Government of Tamil Nadu
(Criminal Side)

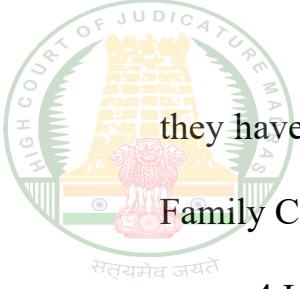
ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

The wife of one Magesh has filed this Habeas Corpus Petition seeking production of detenu Magesh, 37 years old on the apprehension that he may be in the illegal custody of the third respondent. However, the contents of the affidavit reveal clearly her information that the detenu was having an extra marital affair with the third respondent.

2. The matter was, in fact, adjourned to 17.06.2026 for production of the detenu. But on a mention made by the learned counsel for the Government of Tamil Nadu (Criminal Side), we have listed the matter today under a special list.

3. On conversing with the detenu and the third respondent, it is very clear, and in fact, they confess to being engaged in an extra marital affair since January, 2025. Both the detenu and the third respondent also confirm that they are moving petitions for divorce from their respective spouses and state that



they have decided to marry each other after obtaining necessary orders from the Family Court.

4. In such circumstances, and for the purpose of this Habeas Corpus Petition, it would suffice to record that the detenu is not in illegal custody of R3 and they being together is consensual. Hence, nothing further survives for consideration.

5. As far as the averments in paragraph 4 of the affidavit in regard to pledging of jewels, these are not matters that we can look into in this Habeas Corpus Petition and we leave it to the parties to pursue the same before the appropriate forum.

6. This Habeas Corpus Petition is closed.

(A.S.M.,J.) (S.M.,J.)
10-06-2026

Index: Yes/No

Speaking order

Neutral Citation: Yes

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To

1. The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police,
Avadi Police Commissionarate,
Avadi - 600 054

2. The Inspector of Police
T-1 Ambattur Police Station,
Red Hills District Cr.No.887 of 2025

3. The Public Prosecutor,
High Court, Madras.



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**DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.**

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