



HCP(MD) No.426 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.04.2026

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**THE HON'BLE MR JUSTICE N. ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.426 of 2026

Kovil Durai

... Petitioner / Father of the
detenu

Vs.

1. The State of Tamil Nadu,
represented by its
the Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Uvari Police Station,
Tirunelveli District.

3.Satheeshkumar

..... Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents herein to produce the detenue, namely, Josphine, aged about 28, w/o Satheesh Kumar, before this Court and set her at liberty.



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For Petitioner : Mr.S.Sathyachidambaram
For R-1 & R-2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

This petition has been filed for a direction to respondent Nos.1 and 2 to produce the body or person of the detainee who is the daughter of the petitioner and to set her at liberty.

2. Heard the learned counsel on either side.

3. The case of the petitioner is that his daughter, who was married to the third respondent in the year 2021 and out of the said wedlock, they also had a child, who is aged about four years. Due to misunderstanding between the detainee and the third respondent, the detainee came to her parents' house and was staying with the parents. The third respondent is said to have gone to the house of the petitioner and made a request to send back the detainee. Believing his words, the detainee was also sent along with



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the third respondent. Thereafter, there was absolutely no communication from the detinue and the complaint given by the petitioner before the second respondent also did not evoke any response. It is under these circumstances, the present Habeas Corpus Petition came to be filed before this Court.

4. The learned Additional Public Prosecutor on instructions submitted that the detinue was married to the third respondent and there was some misunderstanding between them and as a result, the detinue had left the matrimonial home. The third respondent had given a complaint to the second respondent and based on the same, a woman missing FIR has been registered in Crime No.277 of 2025. In the course of investigation, it came to light that the detinue is now staying at Coimbatore and when contacted, the detinue informed that she is residing at Coimbatore on her own volition.

5. It is clear from the above submission that the detinue is not in the illegal detention or custody of the third respondent. There was some misunderstanding between the detinue and the third respondent and the detinue has left on her own volition and was staying at Coimbatore.



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6. In view of the same, the second respondent shall record the statement of the detainee and thereafter, close the FIR. Insofar as the matrimonial dispute is concerned, the same has to be worked out in the manner known to law.

7. This Habeas Corpus Petition is disposed of in the above terms.

[N.A.V.,J.] [K.K.R.K.,J.]
02.04.2026

Index : Yes / No
Internet : Yes / No
TSG



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To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Uvari Police Station,
Tirunelveli District.

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



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

TSG

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