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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD) No.479 of 2026

C.Muniyaraj

.. Petitioner / Husband of the detenu

Vs.

1.The State of Tamilnadu,
Rep by the Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.

2.The Inspector of Police,
Rameswaram Town Police Station,
Rameswaram.

3.N.Pandian

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the corpus or body of Petitioner's wife Kalipriya, aged about 35 years, daughter of Naganathan before this Court and set her at liberty.



For Petitioner : Mr.M.Kannan

For Respondents : 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 the first and second respondents to produce the body or person of the detenue, who is the petitioner's wife and to set her at liberty.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

3. The case of the petitioner is that he was married to the detenue in the year 2011 and out of wedlock, there are two minor children. The petitioner's wife developed an illegal intimacy with the 3rd respondent. Hence, a complaint was given in this regard before the All Women Police Station, Rameshwaram, which was taken on file in Crime No.4 of 2022 and



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this case was investigated and the Police report was filed and it is pending before the learned Judicial Magistrate, Rameshwaram in C.C.No.92 of 2023. According to the petitioner, his wife, during trial, had deposed against the 3rd respondent and hence, the 3rd respondent had illegally detained the petitioner's wife and the children. As a result, the petitioner's wife along with the children went missing from 14.01.2026. A complaint was given before the second respondent, which was taken on file in Crime No.14 of 2026 as a woman missing case.

4. The further case of the petitioner is that five days after the FIR was registered, the children came home. But however, the wife did not return back and the whereabouts of the petitioner's wife was also not able to be ascertained. Since no steps were taken by the second respondent to find the whereabouts of the wife, the present petition has been filed before this Court.

5. The learned Additional Public Prosecutor, on instructions, submitted that the petitioner's wife had developed an illegal intimacy with the 3rd respondent and she had gone along with him.



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6. Taking into consideration the facts and circumstances of the case and considering the submissions made on either side, there shall be a direction to the second respondent to proceed further with the investigation in the pending FIR in line with the guidelines issued by this Court in ***K.Sukumari vs. The Superintendent of Police, Virudhunagar District, Virudhunagar and others reported in [2018 2 LW Crl 636]***.

7. This Habeas Corpus Petition is disposed of with the above direction.

(N.A.V.,J..) (K.K.R.K.,J.)
15.04.2026

Index : Yes / No
Internet : Yes / No

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To

1. The Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.
2. The Inspector of Police,
Rameswaram Town Police Station,
Rameswaram.
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.**

Indu

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