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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-10-2026

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

AND

THE HON'BLE MRS.JUSTICE THIRUMAGAL CHANDRASEKAR

HCP(MD) No. 1304 of 2026

CNR:{HCMD011440392026}

Muthulakshmanan ..Petitioner(s)

Vs

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

2. The Inspector of Police
   Kizhadi Police Station,
   Sivagangai District. ..Respondent(s)

PRAYER: This Petition filed under Section 226 of the Constitution of India, to issue a Writ or Order or Direction, more particularly in the nature of Writ of Habeas Corpus, direct the respondents herein to secure and produce the body or person of the detenue namely Muthupandi, S/o.Muthulakshmanan, aged about 31 year before this Court and set her at liberty.

For Petitioner(s) : Mr.M.Ramesh

For Respondent(s) : Mr.C.Christopher
Additional Public Prosecutor

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ORDER

(Order of the Court was made by M. NIRMAL KUMAR J.)

When the matter was listed for hearing on 14.10.2026, this Court passed the following order:

"The petitioner, who is the husband of the detenue, namely, Muthupandi, aged about 31 years, had filed this petition seeking direction to the respondents to secure and produce his wife before this Court and set her at liberty.

2. As per the affidavit filed by the petitioner, it is seen that the petitioner got married with one Muthupandi 14 years ago and out of the marriage, they have two daughters and a son and they were living happily as husband and wife. This being so, recently, the petitioner's wife had joined a private mill at Kappalur. The petitioner found that the same disturbed the well being of their children. Hence, he requested his wife to discontinue with the work. This being so, on 07.09.2026, the petitioner's wife had left home to a nearby store, but later not returned. The petitioner enquired with the relatives and known persons and he was unable to trace his wife. Hence, he lodged a complaint with the second respondent Police on 16.09.2026 and a case was registered in Crime

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No.77 of 2026 for 'woman missing'. Thereafter, no action was taken and the petitioner's wife is unable to be traced. Hence, this petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents had produced an instruction sheet, wherein, in column 12, the case details have been given. It is seen that a case had been registered on 16.09.2026 by Keeladi Police Station and thereafter, during investigation, it was found that the petitioner's wife had been using her friends' phone and having contact outside the family. It is also found that she had erased the phone call details.

4. The said instruction seems to be without any particulars as to what is the mobile number , from whose number, call was made and to whom it has been called and who are the persons so far enquired. Though, there are six phone numbers given, the details as to who are the persons using those numbers have not been furnished. 5. In view of the above, the second respondent/Inspector of Police, Keeladi Police Station is directed to file a status report before this Court. This direction has been given considering the fact that the petitioner's wife had left three minor children, two daughters and one son and for this purpose, the details of investigation are required .

6. Post the matter on 26.10.2026."

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2. In continuation of and in conjunction with the earlier order passed by this Court on 14.10.2026, the detenue, Muthupandi, was produced before this Court by the second respondent. The second respondent submitted that the detenue had been traced at a textile factory in Tiruppur.

3. We interacted with the said Muthupandi, who complained that her husband was suspicious of her and had been assaulting her and subjecting her to cruelty. Unable to bear the physical assault and cruelty, she had left the matrimonial home, leaving her children behind. She further submitted that the petitioner is none other than her maternal uncle (her mother's maternal uncle) and that she had left the matrimonial home for the sake of her life and safety and to escape the unbearable suffering inflicted upon her by the petitioner. She expressed confidence that she could sustain herself by taking up some work or other. She also reiterated that her husband had been suspecting her and questioning her movements and had been subjecting her to cruelty. She further stated that, on three earlier occasions, she had attempted to commit suicide. We had initially sought some time for the petitioner and his wife to interact with each other and resolve the issue. However, when she appeared before this Court again, she reiterated her earlier allegations against the petitioner.

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4. In view of the above, and considering the fact that the petitioner's wife has been secured and that she is a major, aged about 31 years, and is not willing to go with her parents but wishes to lead her life in her own way, we are of the view that no further orders are necessary in this petition. The petitioner was also informed of her decision.

5. Recording the same, this Habeas Corpus Petition stands closed.

(M.N.K.,J.) (T.M.C.,J.)
26-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sji

To
1. The Superintendent of Police,
   Sivagangai District.

2. The Inspector of Police,
   Kizhadi Police Station,
   Sivagangai District.

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

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M.NIRMAL KUMAR, J.
AND
THIRUMAGAL CHANDRASEKAR, J.
sji

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