



H.C.P(MD)No.1498 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

H.C.P(MD)No.1498 of 2025

Thamilarasan ... Petitioner/Wife of the detenu

Vs.

1.State of Tamil Nadu,
Represented by,
The Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

3.Perumal ... 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 to produce the body or person of the detenu namely Ponmani, D/o.Pitchavel, aged about 21 years, who is illegally detained by the third respondent before this Court and set her at liberty.

1/6



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For Petitioner : Mr.A.Balakrishnan
For Respondents : Mr.R.M.Anbunithi (R1 & R2)
Additional Public Prosecutor
: Mr.S.Manoj Kumar (R3)

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Habeas Corpus Petition has been filed seeking a direction to the second respondent to secure and produce the detenu namely Ponmani, before this Court.

2.Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.



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3.The petitioner is the uncle of the detenu. The detenu got married to the third respondent. Due to misunderstanding between them, the detenu got separated from her husband and lived with her mother. She also filed a petition for divorce in H.M.O.P.No.94 of 2025 on the file of the Sub Court, Keeranoor, Pudukkottai District, which is pending for adjudication. While being so, the mother of the detenu compelled her to live with her husband. Therefore, the detenu left her parents' house and went to the petitioner's house. While so, the third respondent, who is the husband of the detenu, along with five others, trespassed into the petitioner's house and forcibly took away the detenu. Hence, the petitioner, who is the uncle of the detenu, lodged a complaint before the second respondent and the second respondent issued C.S.R.No.758 of 2025 on 14.12.2025.

4.On enquiry, the second respondent secured the detenu and produced her before this Court.



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5.The detenu deposed that she is aged about 21 years. Due to matrimonial dispute with her husband, she does not want to live with him and therefore went to her brother's house. She further deposed that she is not under anybody's illegal custody. She also deposed that she does not want to go with her parents, since they compelled her to live with her husband and that she is now willing to go with the petitioner.

6.In view of the above submissions, this Habeas Corpus Petition is closed. The third respondent is at liberty to approach the Family Court for appropriate relief.

[G.K.I.J.,] & [K.R.J.,]
02.01.2026

NCC :Yes/No
Index :Yes/No
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To

- 1.The Superintendent of Police,
Pudukkottai District.
- 2.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
KRISHNAN RAMASAMY, J.

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