

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1750 of 2015

S.Muthuraj

...Petitioner

-v-

1. The Inspector of Plice (L&O),
T.6, Avadi Police Station,
Avadi, Chennai-600 054.

2. Selvam

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the first respondent to produce the petitioner's wife Usha, aged about 26 years either in person or her body before this Court and to set her at liberty forthwith.

For Petitioner : Mr.A.Kumana Raja

For Respondents : Mr.A.N.Thambi Durai
Addl. Public Prosecutor for R1
Mr.T.Selvam & S.John Peter for R2

सत्यमेव जयते
O R D E R

(Order of the Court made by S.TAMILVANAN,J.)

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

2.The alleged detainee Usha, aged about 26 years, is secured and produced before this Court by the respondent police. The petitioner and the second respondent are also present with their respective counsel.

3.On enquiry, the detainee Usha stated that she is aged about 26 years and she is a M.Com., Graduate and there is no illegal detention by anybody. However, she expressed her willingness to go along with

her father/the second respondent herein and .

4.Learned counsel for the petitioner submits that the petitioner has married the detainee and only at the instigation of the second respondent, she has stated that she is willing to go with him/the second respondent herein. However, we cannot go into the issue in detail here. It can only be considered that there is no illegal detention, based on the submissions of the detainee that there is no illegal detention. However, it is open to the parties to workout their remedy before the appropriate forum, according to law.

5.With the above observation, this petition is ordered to be dismissed. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar (J)

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Sub Assistant Registrar

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To

1. The Inspector of Police (L&O),
T.6, Avadi Police Station,
Avadi, Chennai-600 054.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

सत्यमेव जयते

H.C.P. No.1750 of 2015

RSK (CO)

PSI (18.08.2015)

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