

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P.No.1978 of 2015

G.Sarumathi

... Petitioner

Vs.

1.State Rep. by the Inspector of Police,
Law and Order
D1.Triplicane Police Station,
Chennai.

2.Radhakrishnan

3.Mala

4.Geetha

5.Prasath

.... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first respondent herein to produce the petitioner's husband Gopinath, S/o.Radhakrishnan, who is now illegally detained by the 2nd to 5 respondents before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.S.Dakshinamoorthy

For Respondents : Mr.A.N.Thambidurai

Additional Public Prosecutor for R1
Mr.P.M.Gopalakrishnan for R2 to R5

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This petition has been filed seeking a direction to the first respondent herein to produce the petitioner's husband, Gopinath, S/o.Radhakrishnan, who is now illegally detained by the 2nd to 5 respondents before this Hon'ble Court and set him at liberty.

2. It is the case of the petitioner that he got married to Gopinath on 15.12.2015 and thereafter, they lived in USA for some time. On account of matrimonial discord, the petitioner came to India and has filed HMOP No.45 of 2015 before the Sub Court, Chidambaram for divorce and the same is pending. It is also seen that divorce proceedings have been initiated before the District Court, Harricounty, Texas between the parties.

Under such circumstances, we are of the view that this is not a case of illegal detention, warranting issuance of Writ of Habeas Corpus, but it is a case of matrimonial discard. Accordingly, this petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

gms

Sub Assistant Registrar

To

1.The Inspector of Police,
Law and Order
D1.Triplicane Police Station,
Chennai.

2.The Public Prosecutor
High Court of Madras.

+1cc to Mr.SivaKumar, Advocate, S.R.No.69473

+1cc to Mr.P.M.Gopalakrishnan , Advocate, S.R.No.69530

H.C.P.No.1978 of 2015

MG(CO)

CA(20/01/2016)