

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 5.2.2015

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN  
and  
THE HONOURABLE MRS.JUSTICE ARUNA JAGADEESAN

H.C.P.No.234 of 2015

Arumbu

.. petitioner

vs.

1. The Superintendent of Police  
SP Office  
Ariyalur - 621 704  
Ariyalur District
2. The Inspector of Police  
All Women Police Station  
Ariyalur District
3. Mr.Shanmugasundaram  
s/o. not known  
South Street  
Muttuvancheri village  
Ariyalur District

... Respondents

H.C.P. has been filed for a writ of Habeas Corpus directing the respondents herein to produce the body of the petitioner's husband Mr.Manivannan before this Court and to set him at liberty.

For petitioner : Mr.S.Gunalan

For Respondent : Mr.A.N.Thambidurai

Addl. Public Prosecutor (Crl.side)  
for R1 and R2  
Mr.R.Nalliappan for R3

O R D E R

This Habeas Corpus Petition has been filed to direct the respondents to produce the detenu, namely, Mr.Manivannan, before this Court and to set him at liberty.

2. It has been stated in the petition that the petitioner was married to the detenu and the said marriage was solemnised in Samayapuram Mariamman Temple, Trichy. Thereafter, since the detenu was missing, the petitioner gave a complaint on 20.11.2014 to the second respondent Police. Since no effective steps had been taken by the second respondent Police, the petitioner had filed the present Habeas Corpus Petition.

3. Today, when the matter is taken up for hearing, the detenu was produced before us by Mr.R.Nalliappan, the learned counsel appearing for the third respondent. On enquiry, the detenu disputed the alleged marriage and stated that he is residing with his parents.

4. In such circumstances, as the detenu is aged 42 years old and since the detenu expressed his willingness to go with his parents, he is permitted to go as per his wish. We find it appropriate to close the Habeas Corpus Petition, as no further orders are necessary. Hence, the Habeas Corpus Petition is closed.

5.2.2015

The matter having been listed on 16.2.2015 for being mentioned in pursuance of order dated 5.2.2015 and made herein the petitioner and the police are not present only alleged detenu appeared in Court on his own and reiterated his stand and this Court made the following order:-

Alleged detenu is aged about 42 years old. On 5.2.2015, when the matter came up for hearing, he disputed the marriage with the petitioner and hence, was not willing to go along with her. Recording the statement, Habeas Corpus Petition was closed.

2.Today, on the request of the learned Additional Public Prosecutor, special list was put up. Earlier when Habeas Corpus petition No.234 of 2015 was disposed of, petitioner was not present and police was not present. Today, the alleged detenu appeared in Court on his own and reiterated his stand. Hence, no further order is required in this Habeas Corpus Petition.

Sd/-

Asst.Registrar (Lok adalat)

/true copy/

Sub Asst. Registrar

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To:

1. The Superintendent of Police  
SP Office  
Ariyalur - 621 704  
Ariyalur District

2. The Inspector of Police  
All Women Police Station  
Ariyalur District

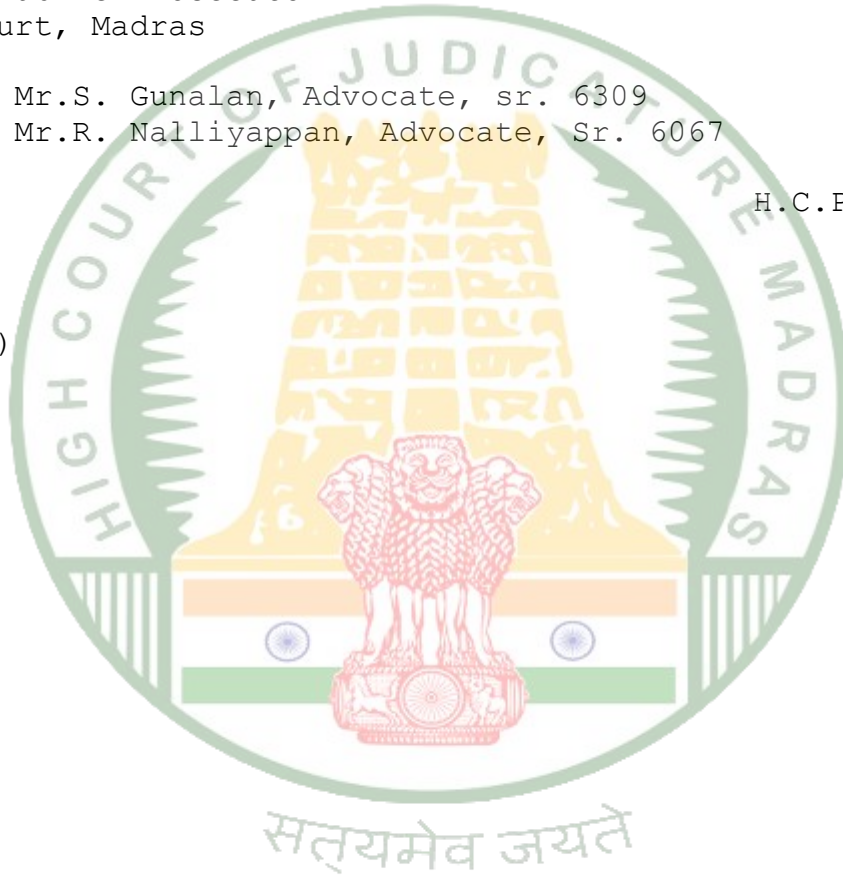
3. The Public Prosecutor  
High Court, Madras

1 cc to Mr.S. Gunalan, Advocate, sr. 6309

1 cc to Mr.R. Nalliyappan, Advocate, Sr. 6067

H.C.P.No.234 of 2015

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