

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND

THE HONOURABLE MRS.JUSTICE ARUNA JAGADEESAN

H.C.P.No.391 of 2015

Sivakumar

...Petitioner

Vs

1.Station House Officer,
Panruti Police station,
Cuddalore District.

2.Superintendent of Police,
Cuddalore District.

3.Arivazhagan

...Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India to direct the respondents to produce the petitioner's wife Maheswari before this Court and set her at liberty.

For Petitioner : Mr.H.Suresh Baabu

For Respondents : Mr.A.N.Thambidurai,
Additional Public Prosecutor .

O R D E R

The matter was not listed today. However, since the Police has secured the alleged detainee, the Registry was directed to put up a special list.

2. The husband of the alleged detainee has sought for a Writ of Habeas Corpus to direct the respondents 1 to 3 to produce the body of his wife, Maheswari before this Court and set her at liberty.

3. According to the petitioner, his wife was missing from 24.09.2014 and even after diligent search made by him in various places, she could not be traced. Hence, the petitioner lodged a complaint with the respondent Police on the same day and a case in Crime No.704 of 2014 has been registered for "Woman Missing". Since no effective steps were taken by the respondent police to secure the detainee, he was constrained to file this Habeas Corpus Petition.

4. Today, the 1st respondent police has produced the alleged detainee, Maheswari along with her child, aged 1 ½ years . On enquiry, the detainee has stated before us that there was a family quarrel between the petitioner and herself and she had left the home on her own and she also denied the illegal detention. She has further stated that she is willing to live with her husband/petitioner.

5. Considering the said statement made by the detainee, as she denied illegal detention by anyone, muchless, the third respondent and further, as she has expressed her willingness to go with the petitioner, we find it appropriate to permit her to go with the petitioner as per her wish. Accordingly, the Habeas Corpus Petition is closed as no further order is necessary.

Sd/-
Assistant Registrar(CS-III)

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Sub Assistant Registrar

vsi

To

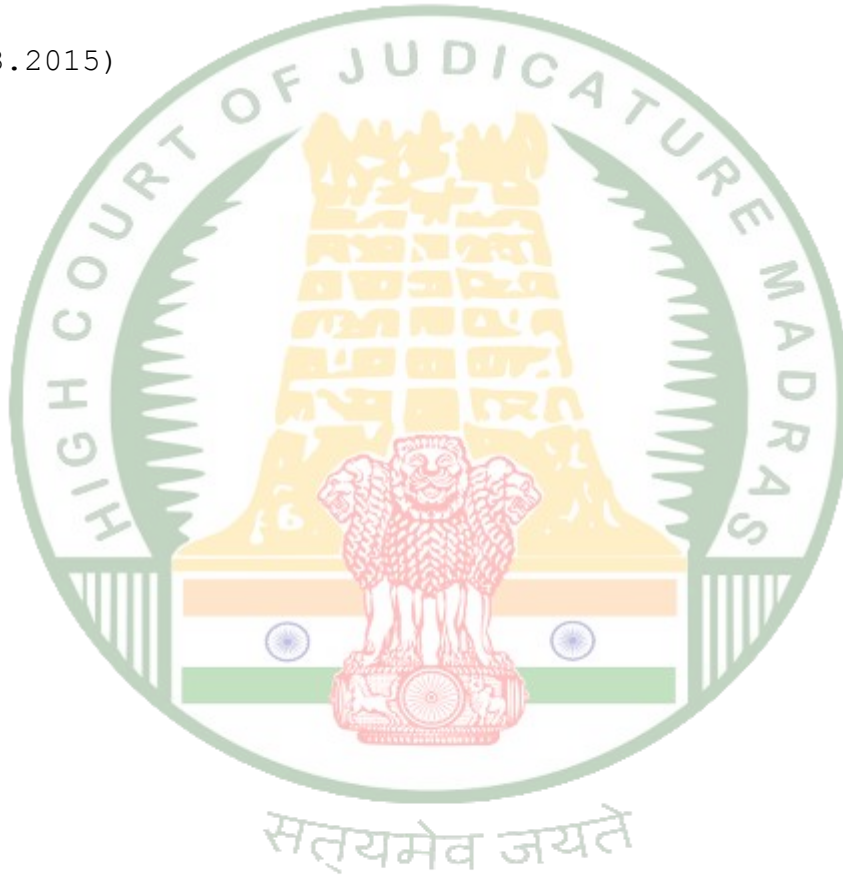
1. Station House Officer,
Panruti Police station,
Cuddalore.
2. Superintendent of Police,
Cuddalore District.

3. The Public Prosecutor,
High Court, Chennai.

1 CC to Mr.H.Suresh Baabu, Advocate SR.No. 12045

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TM (CO)
PSI (20.03.2015)



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