

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN  
AND

THE HONOURABLE MRS.JUSTICE K.B.K.VASUKI

H.C.P.No.527 of 2015

V.Dioclus ...Petitioner

Vs

1.State rep. By  
The Commissioner of Police,  
Coimbatore.

2.The Inspector of Police,  
Thudiyalur Police Station,  
Thudiyalur,  
Coimbatore District.

3.C.Senthil ...Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India to direct the respondents to secure the petitioner's wife viz., Tmt.Bhuvaneswari, W/o V.Dioclus, aged 32 years, and produce her before this Court and set her at liberty.

For Petitioner : Mr.G.Punniyakotti

For Respondents : Mr.A.N.Thambidurai,  
1 & 2 Additional Public Prosecutor for R1 & R2.

For Respondent 3 : Mr.M.Vetri Selvan

ORDER

The petitioner is the husband of the so-called detenue, Bhuvaneswari. The detenue was produced before this Court by the second respondent, Inspector of Police. When we personally enquired her, she categorically stated that she got separated from her husband who is suspicious in nature and she left the matrimonial house leaving her children. She is not willing to go back to her husband and she has already taken steps to initiate divorce proceedings. She has also issued legal notice and the same was also duly received by her husband. She is also not willing to be

referred to any counselling or mediation.

2. Learned Additional Public Prosecutor, at this juncture, brought to our notice that her husband along with his friends went to the place where his wife was living and had elaborate discussion with her but her husband was not able to convince his wife.

3. In view of the same, the so-called detinue is at liberty to decide to live in the place of her choice and no further order is warranted in this petition. Hence, the Habeas Corpus Petition stands closed. It goes without saying that it is open to the petitioner to pursue his remedy, if any, before the appropriate forum, in the manner known to law.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Commissioner of Police,  
Coimbatore.

2. The Inspector of Police,  
Thudiyalur Police Station,  
Thudiyalur,  
Coimbatore District.

3. The Public Prosecutor,  
High Court, Chennai.

1 cc to Mr.M.Vetri Selvan ,Advocate, SR.No.13715

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pmk.23.3.2015