

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR.JUSTICE B.RAJENDRAN

H.C.P.No.993 of 2015

D.Martin

...Petitioner

vs.

1. Superintendent of Police
Krishnagiri District
Krishnagiri.
2. Assistant Commissioner of Police
Hosur P.S.
Krishnagiri.
3. Inspector of Police
All Women Police Station
Hosur, Krishnagiri.
4. Motcha Rakini
5. Isaac

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus petition directing the respondents 1 to 3 to produce the body of the petitioner's wife Mrs.Sirumalar Selvi, aged about 28 years and the petitioner's son Solomon Periyanaagam, aged about 9 years now, before this Court.

For Petitioner : Mr.B.Gurumurthy

For Respondents : Mr.A.N.Thambidurai, APP
for RR1 and 2

ORDER

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

This petition has been filed by the petitioner/husband of the detainee Sirumalar Selvi aged about 28 years, to cause production of his wife and his son Solomon Periyanaagam, aged about 9 years, who are said to be in the illegal custody of the fourth and fifth respondents and to set them at liberty.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of respondents 1 and 2.

3. Today the detainee- Sirumalar Selvi aged about 28 years and her son Solomon Periyanaagam, aged about 9 years are produced before this Court by the respondent police.

4. On enquiry, the detainee Sirumalar Sevli has stated that she is residing with her mother, viz., the fourth respondent and her paternal uncle, viz., the fifth respondent and that the petitioner D.Martin has married her. According to her, there is no illegal detention by the fourth and fifth respondents. She also expressed that she and her son are not willing to go with the petitioner/husband.

5. Recording the statement made by the detainee herein and also taking into account the fact that there is no illegal detention by the fourth and fifth respondents, this Habeas Corpus Petition is closed. However, it is open to the petitioner to approach the appropriate forum seeking matrimonial relief.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vj2

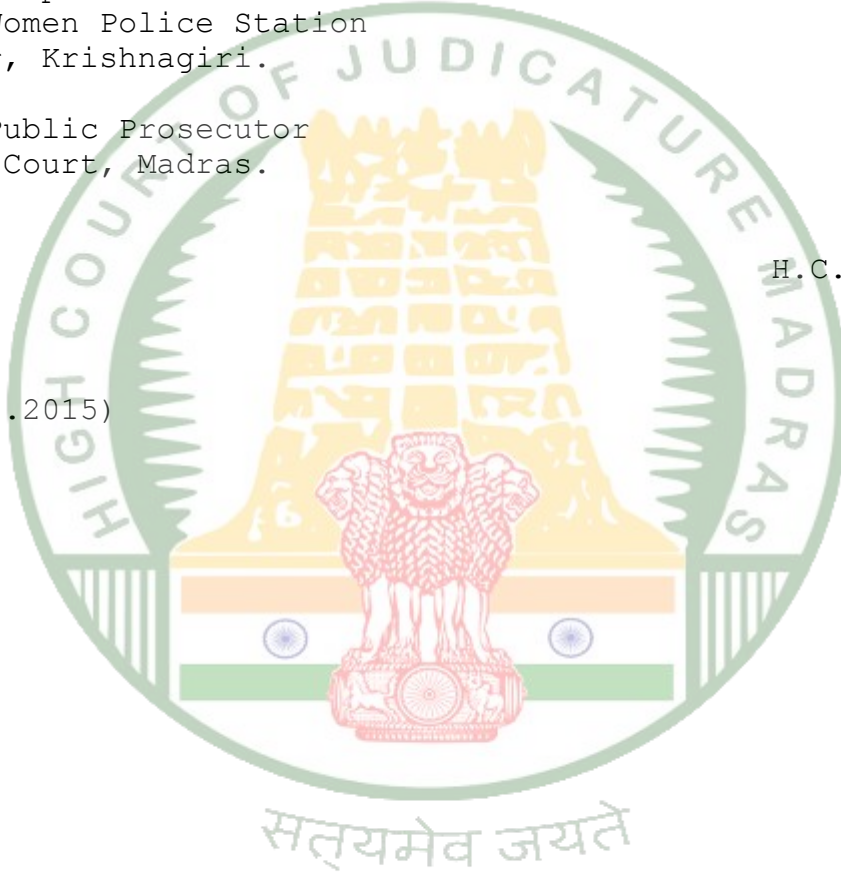
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To

1. The Superintendent of Police
Krishnagiri District
Krishnagiri.
2. The Assistant Commissioner of Police
Hosur P.S.
Krishnagiri.
3. The Inspector of Police
All Women Police Station
Hosur, Krishnagiri.
4. The Public Prosecutor
High Court, Madras.

H.C.P.No.993 of 2015

RJ (CO)
PSI (22.05.2015)



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