

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6.1.2015

Coram:

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

H.C.P.No.3581 of 2014

N.Kothandapani

.. petitioner

vs.

1. The State of Tamil Nadu
represented by Secretary to Government
Home Prohibition & Excise Department
Fort St. George
Chennai - 600 009
 2. The Deputy Commissioner of Police
HVF Campus, Ambattur
Chennai - 600 053
 3. The Inspector of Police
T-5, Thiruverkadu Police Station
Thiruverkadu, Ambattur Circle
- ... Respondents

Habeas Corpus Petition has been filed under article 226 of the Constitution of India to direct the respondents herein to produce the said person Sumuthra wife of N.Kothandapani aged about 39 years before this Court and set her at liberty forthwith.

For petitioner : Mr.V.K.Sathiamurthy

For respondents : Mr.V.MR.Rajendran
APP

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O R D E R

(The Order of the Court was made by ARUNA JAGADEESAN J.,)

This Habeas Corpus Petition has been filed to direct the respondents to produce the person, by name, Sumuthra, aged about 39 years before this Court and set her at liberty.

2. The petitioner is the husband of the detinue. The petitioner and the detinue settled at Massachusetts in U.S.A. and the detinue gave birth to two children on 28.9.2011 at Umass Memorial Medical Center, Worcester. The detinue had visited India for ear boring ceremony of her children. Since the winter in USA became severe, the detinue decided to come to India along with her children. The detinue was staying in India at the residence of the petitioner's sister. On 29.11.2014 the detinue had left the said house stating that she intends to do shopping. However, she did not return. Therefore, the petitioner lodged a complaint with the Inspector of Police, Thiruverkadu, Ambattur Circle, the third respondent herein. The said complaint was registered in crime No.1640/2014 as woman missing.

3. Today, when the matter is taken up for hearing, the detinue was produced by the third respondent. On enquiry, the detinue had stated that she had gone to various temples at Andhra Pradesh and returned to the house of the husband and presently she was staying with her husband. The father of the detinue is also present before us and he affirmed the said submissions of the detinue.

4. Recording the said submissions of the detinue, the Habeas Corpus Petition stands closed, as no further orders are necessary.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

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To:

1. The Secretary to Government
Home Prohibition & Excise Department
Fort St. George, Chennai - 600 009

2. The Deputy Commissioner of Police
HVF Campus, Ambattur
Chennai - 600 053

3. The Inspector of Police
T-5, Thiruverkadu Police Station
Thiruverkadu, Ambattur Circle

4. The Public Prosecutor
High Court, Madras

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