



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P (MD) No.1058 of 2015

Ranjitham

.. Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2. The Inspector of Police,
Sankarankovil Police Station,
Sankarankovil, Tirunelveli District.

3. The Inspector of Police,
All Women Police Station,
Sankarankovil, Tirunelveli District.

4. Jeyachandran

5. Thangam

6. Alliraj

7. Veerammal

8. Mohan

9. Amutha

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents 1 to 3 herein, to produce the detenu by name Stalin Devendran, S/o.Alliraj, aged about 31 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.F.X.Eugene

For RR 1 to 3 : Mr.K.S.Duraipandian

Additional Public Prosecutor.

For RR 4 to 9 : No appearance

ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the wife of one Mr.Stalin Devendran. According to the petitioner he has been found missing. In respect of the same, a case has been registered. Therefore, the petitioner has come up with this petition.



2. We have heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the State. We have also perused the records carefully.

3. It is seen from the records that Mr. Stalin Devendran has already filed a case for divorce in H.M.O.P.No.49 of 2015 on the file of the learned Subordinate Judge, Sankarankovil, against the petitioner. On the complaint made by the petitioner, a case has been registered for the offence under Section 498-A I.P.C. and Section 4 of the Dowry Prohibition Act, in Crime No.9 of 2015 against Mr. Stalin Devendran. It is because of this matrimonial dispute, it appears that Mr. Stalin Devendran has been hiding himself. Since he has gone to Civil Court to file case for divorce, it is quite obvious that he has not been detained illegally by anybody.

4. In view of the above, we do not find any ground to issue any direction as prayed for. Accordingly, this Habeas Corpus Petition is dismissed. However, the remedy for the petitioner lies before the Civil Court.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
 2. The Inspector of Police,
Sankarankovil Police Station,
Sankarankovil,
Tirunelveli District.
 3. The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tirunelveli District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.F.X.EUGENE, ADVOCATE IN SR NO. 52705

PJL/SMN

<https://hcservicesgov.in/hcservices> 22/09/2015 2P/6C

ORDER MADE IN
H.C.P (MD) No.1058 of 2015
08.09.2015