



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.948 of 2015

P.Kaliappan

... Petitioner

Vs.

1.The District Superintendent of Police,
District Police Office,
Tuticorin District.

2.The Inspector of Police,
Kurumbur Police Station,
Tuticorin District.

3.Mohammed Shed

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents herein to produce the persons or bodies of detinue, Amutha, aged 25 years W/o.P.Kaliappan before this Court and set her at liberty, and also minor female Child Kousika, D/o.P.Kaliappan, aged about 1-1/2 years, before this Court and hand over her to the petitioner's custody.

For Petitioner

: Mr.T.Murugan

For Respondents
1 & 2

: Mr.K.S.Duraipandian,
Addl. Public Prosecutor

For 3rd respondent

: No appearance

ORDER

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

The petitioner is the husband of one Mrs.Amutha, aged about 25 years. They have got a child by name Kousika, aged about 1-1/2 years. Alleging that the third respondent had abducted Mrs.Amutha, along with the child, the petitioner has come up with this Habeas Corpus Petition.

2.Today, when the matter was taken up, the second respondent has produced the detinue, along with the child Kousika. On enquiries, the detinue would state that the third respondent, by force, abducted her and thereafter, she escaped from him and now she has been living with her husband.

3. The learned Additional Public Prosecutor would submit that in respect of the offence said to have been committed by the third respondent, a case has been registered by the second respondent in Crime



No.116 of 2015 under Section 366 IPC, altered into one under Sections 366 and 506(ii) IPC and the same is under investigation.

4. Since the detenues are not under the illegal custody and since they are now happily living with the petitioner, nothing survives in this petition, warranting any further direction. Hence, this Habeas Corpus Petition is dismissed.

Gcg

/True Copy/

Sd/-

Assistant Registrar (T&P)

Sub Assistant Registrar.

To

1.The District Superintendent of Police, District Police Office,
Tuticorin District.

2.The Inspector of Police, Kurumbur Police Station, Tuticorin District.

3.The Addl. Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.948 of 2015
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2P/4C

AM/AN.MP/SAR-II/26.08.2015