

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2016

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P. No.1706 of 2015

Rosy @ Rosalin

Petitioner/wife of the detenu

vs.

1.G.Ramani
2.John Rajkumar
3.G.Bernard
4.G.Willims

5.The Deputy Commissioner of Police
Triplicane Range
O/o the Deputy Commissioner of Police
Arunachalam Road,
Chinthatharipet
Chennai 600 002.

6.The Inspector of Police
F-3, Nungambakkam Police Station
Nungambakkam, Chennai 34.

Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 6th respondent to secure petitioner's husband G.Louie Francis from the illegal custody and wrongful confinement in the hands of the respondents 1 to 4 and to produce the petitioner's husband G.Louie Francis, S/o Late Gnanamuthu, aged about 48 years before this Court and set him at liberty.

For Petitioner
For Respondents

Mr.R.Narendran
Mr.A.N.Thambidurai
Additional Public Prosecutor
M/S.G.Jayanthi for R1

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This petition has been filed seeking a direction to the 6th respondent to secure petitioner's husband G.Louie Francis from the illegal custody and wrongful confinement of respondents 1 to 4 and produce him before this Court and set him at liberty.

2. It is the case of the petitioner that her husband G.Louie Francis, is in the illegal custody of respondents 1 to 4. On 27.07.2015, the detenu was produced before this Court and thereafter, the matter was referred to Mediation and Conciliation Centre attached to this Court. It appears that the parties were not able to arrive at a settlement before the Mediation Centre. However, since the detenu has been produced before this Court, we are of the opinion that this is not a case of illegal detention warranting issuance of Writ of Habeas Corpus, but it is a case of family dispute between the parties, which can be resolved before an appropriate forum. Hence, this Habeas Corpus Petition stands dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gms
To

1.The Deputy Commissioner of Police
Triplicane Range
O/o the Deputy Commissioner of Police
Arunachalam Road,
Chinthatharipet
Chennai 600 002.

2.The Inspector of Police
F-3, Nungambakkam Police Station
Nungambakkam, Chennai 34.

3.The Public Prosecutor
High Court of Madras
Chennai.

+ 1 cc to M/S.G.Jayanthi, Advocate Sr 1050 (28/1/16)

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