

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 9.2.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.2884 of 2015

R.Shanmugam ... Petitioner/Husband of Detenue
vs.

State of Tamil Nadu
rep by Inspector of Police
K-1, Sembium Police Station
Perambur, Chennai ... Respondent

H.C.P. has been filed to issue a writ of Habeas Corpus directing the respondent to trace out the petitioner wife Kalpana aged about 25 years and produce her and the petitioner infant daughter, Danyashree aged about 2 years, before this Court.

For petitioner : Mr.T.K.S.Gandhi

For Respondent : Mr.V.M.R.Rajentran
APP

O R D E R

(The Order of the Court was made by M.JAICHANDREN J.,)

This Habeas Corpus Petition has been filed praying that this Court may be pleased to direct the respondent to produce the wife of the petitioner, namely, Kalpana, aged about 25 years and his infant daughter, namely, Danyashree, aged about 2 years, before this Court and set them at liberty.

2. It has been stated that the petitioner had married the detenue, namely, Kalpana, on 9.10.2015. Out of the marriage, they had two children, namely, Manoj Kumar, aged about 8 years and Dhanyashree, aged about 2 years. The petitioner is working as a driver in a private firm. The detenue, namely, Kalpana, had completed catering course.

3. Today, when the matter was listed for hearing, the detenue had appeared before us, along with the child, namely,

Dhanyashree, aged about 2 years. She has stated that she had left the matrimonial home due to the differences that had arisen between the petitioner and herself and that she is living along with her friend. She had further stated that she does not want to live with the petitioner.

4. In such circumstances, as the detinue does not want to live with her husband, who is the petitioner herein, she is permitted to go, as per her wish. As no further orders are necessary, we find it appropriate to close the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To:

1.The Inspector of Police
K-1, Sembium Police Station
Perambur, Chennai.

2.The Additional Public Prosecutor,
High Court, Madras-104.

H.C.P.No.2884 of 2015

msm(CO)
srg(22/03/2016)

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