

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
AND

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.3129 of 2015

M.K.Saravanakumar @ Immanuvel

... Petitioner

Vs.

1. The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.
 2. The Inspector of Police,
H.4, Soundarapandianar Angadi Police Station,
T.Nagar, Chennai - 600 017.
 3. The Inspector of Police,
T.14 Mangadu Police Station
(R3 Suo motu impleaded vide Order
of Court dated 05.01.2016)
- Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
respondents to produce the detainee Amsavalli @ Benita, wife of
M.K.Saravanakumar @ Immanuvel, before this Court and set her at
liberty.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor

O R D E R

(Order of the Court was made by R.SUDHAKAR,J.)

This Habeas Corpus Petition is filed by the husband of the
detenue seeking direction to the respondents to produce the
detenue, Amsavalli @ Benita, before this Court and set her at
liberty.

2. It is the case of the petitioner that he married the detinue on 19.11.2015 and after marriage, she left the matrimonial home and her whereabouts were not known. Hence, the petitioner has filed a complaint before the second respondent on 05.12.2015. Since the second respondent did not take any effective steps, the petitioner has filed the present Habeas Corpus Petition.

3. When the matter was called on 05.01.2016, learned Additional Public Prosecutor submits that the said complaint given by the petitioner has been transferred to T.14 - Mangadu Police Station, who was not arrayed as party respondent. Hence, this Court suo motu impleaded T.14 Mangadu Police Station as party respondent in this Habeas Corpus Petition.

4. Today, when the matter was called, the detinue was produced before this Court, who states that on 30th November, 2015, due to some difficulty in adapting to marital life, she went to her friend's house on 29/30.11.2015 and thereafter, due to heavy floods in Chennai, she got stranded there and thereafter, she went back to her mother's place. She further states that she was not in the illegal custody of anyone. She also states that she is a B.A. graduate and is working as a Teacher in a Primary School. She expresses her desire to stay with her mother till she is able to adapt herself to the marital life. The petitioner is also present before this Court.

5. In view of the above submission, this Court finds that it is not a case of illegal detention warranting issuance of a Writ of Habeas Corpus. This is purely a case of matrimonial mis-adjustment between the petitioner and the detinue. We leave it open to the parties to work out the method of resolving the impasse in their matrimonial life. Accordingly, this Habeas Corpus Petition stands closed with the above observations.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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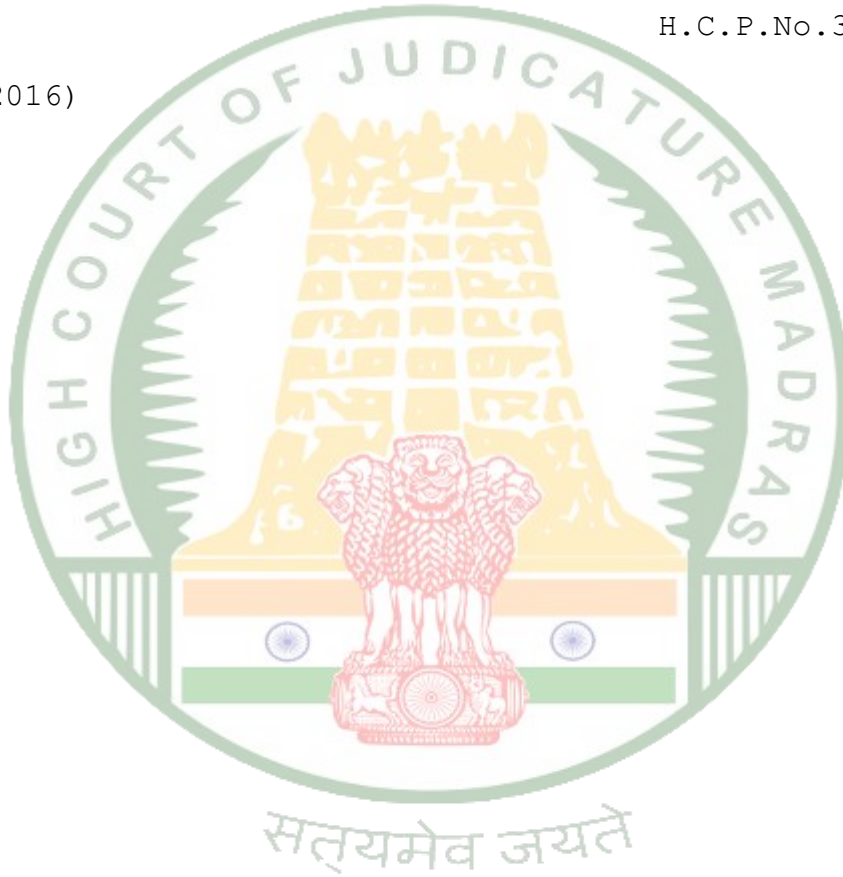
To

1. The Commissioner of Police,
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2. The Inspector of Police,
H.4, Soundarapandianar Angadi Police Station,
T.Nagar, Chennai - 600 017.
3. The Inspector of Police,
T.14 Mangadu Police Station
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.3129 of 2015

CA(CO)
CA(10/02/2016)



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