

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1169/2016

P.Elango

..Petitioner

Vs

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

2. The Inspector of Police,
Vedaranyam Police Station,
Vedaranyam,
Nagapattinam District.

3. V.Kavitha

4. R.Selvarangam

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent police to produce the detainee, by name, Tmt.Menaka, wife of Thiru Elango, who is aged about 27 years and set her at liberty.

For Petitioner : Mr.A.Rajesh Kanna

For Respondents : Mr.V.M.R.Rajentren,

1 and 2 Additional Public Prosecutor

For 4th respondent : Mr.S.Kingston Jerold

ORDER

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

The petitioner is the husband of one Mrs.Menaka, aged about 27 years. On the allegation that she has been found missing and that she has been illegally detained by the respondents 3 and 4, the petitioner has come up before this Court with this Habeas Corpus Petition.

2. When the Habeas Corpus Petition was taken up for hearing, the detainee was produced by the respondent police before this Court.

3. When we enquired, the detenue has stated that because of the torture meted out to her at the hands of the petitioner, she left the matrimonial home on her own accord and now she is residing at Ravusapatti. She has further stated that she has also filed a case before the learned Subordinate Judge, Nagapattinam, seeking divorce in HMOP.No.88 of 2016. She has also produced a copy of the HMOP Petition.

4. Having regard to the said statement of the detenue, since we do not find any illegal detention, this petition is dismissed, leaving it open to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Superintendent of Police,
Nagapattinam,
Nagapattinam District.
2. The Inspector of Police,
Vedaranyam Police Station,
Vedaranyam,
Nagapattinam District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s. A. Ramesh Kanna, Advocate, S.R.No.35040
+1cc to M/s. S. Kingston Jerold, Advocate, S.R.No.34924

MP(CO)
EU(14/07/2016)

H.C.P.No.1169/2016