

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.7.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1425 of 2016

Muralidharan ..Petitioner/Husband of the detenu

Vs

State Rep. by

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

2. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.

3. Veeraraj

... 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 petitioner's wife Sasirekha w/o, Muralidharan, aged 24 years, who is now illegally detained by the 3rd respondent before this Court and set him at liberty.

For Petitioner : Mr. Ilayaraja Kandasamy for
Mr.K.Gandhi Kumar

For R1 & R2 : Mr.V.M.R. Rajentren
Additional Public Prosecutor

For R3 : No appearance

ORDER

(Order of the Court was made by V.BHARATHIDASAN, J.)

The petitioner is the husband of one Sasireka. According to the petitioner, the marriage between the petitioner and Sasireka took place on 08.6.2016. On 22.6.2016, the detenu left her matrimonial home and thereafter, she did not return. Hence, the petitioner has made a complaint on 28.6.2016. In this regard, a case has been registered in Cr.No.185/16 for 'women missing'

on the file of the second respondent. Despite the registration of the complaint, the second respondent has not taken any steps to trace out the detainee. Hence, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State. We have also perused the records carefully.

3. Today, when the matter was taken up, the learned Additional Public Prosecutor produced a letter written by the detainee stating that she is not willing to live with the petitioner and hence, she is leaving the house.

4. In the circumstances, there is no scope for any order as prayed for since there is no illegal detention as per the letter.

5. Therefore, the Habeas Corpus Petition is dismissed. However the complaint has already been registered, the second respondent is directed to continue the investigation and take steps to trace the detainee.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

kua

To

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

2. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras

NRJK(CO)
EU 09.08.16

H.C.P.No.1425 of 2016