

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

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

H.C.P.No.193 of 2016

Santhosh

.. Petitioner

-Versus-

1. The Superintendent of Police,
Villupuram District,
Villupuram.
 2. The Deputy Superintendent of Police,
Tindivanam, Villupuram District.
 3. The Sub Inspector of Police,
Tindivanam Police Station,
Tindivanam 604 001.
 4. Janarthanan
- .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for a Writ of Habeas Corpus, directing the respondents to produce the body of Gayathri, wife of Santhosh and daughter of Janarthanan, aged about 22 years now, before this Court and set her at liberty.

For Petitioner : Mr.N.Naveenkumar

For Respondents : Mr.V.M.R.Rajendran
Additional Public Prosecutor (R1-3)

ORDER

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

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of respondents 1 to 3 and also the learned counsel appearing for the 4th respondent.

2. This Habeas Corpus Petition has been filed by the petitioner, who is the husband of the detinue, namely, Gayathri, aged about 22 years. He had filed the Habeas Corpus Petition praying that this court may be pleased to direct the respondents to produce the body of Gayathri, wife of Santhosh and daughter of Janarthanan, aged about 22 years, before this Court and to set her liberty, forthwith.

3. The petitioner has stated that the detinue is in the custody of the 4th respondent, who is the father of the detinue and therefore, he had lodged a complaint to the 3rd respondent, on 21.01.2016, stating that the detinue has been detained by the 4th respondent, against her wishes. Thereafter, a CSR, dated 27.01.2016, was issued to the petitioner. Pursuant thereto, since no action had been taken, the petitioner had lodged a complaint to the 1st and the 2nd respondents, on 28.01.2016, through registered post. Since no further action had been taken by the 1st and the 2nd respondents, the petitioner had preferred the present Habeas Corpus Petition before this Court.

4. At this stage of the hearing of the Habeas Corpus Petition, the learned counsel appearing for the 4th respondent had submitted that the detinue, the wife of the petitioner, had filed a petition, in HMOP No.21 of 2016, on the file of the Principal Sub Court, Cuddalore, for annulling the marriage.

5. In view of the above submission made by the learned counsel appearing for the 4th respondent, we do not find any reason to grant the relief prayed for by the petitioner in this Habeas Corpus Petition at this stage. Hence, the Habeas Corpus Petition stands dismissed.

rg

Sd/-
Asst.Registrar

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

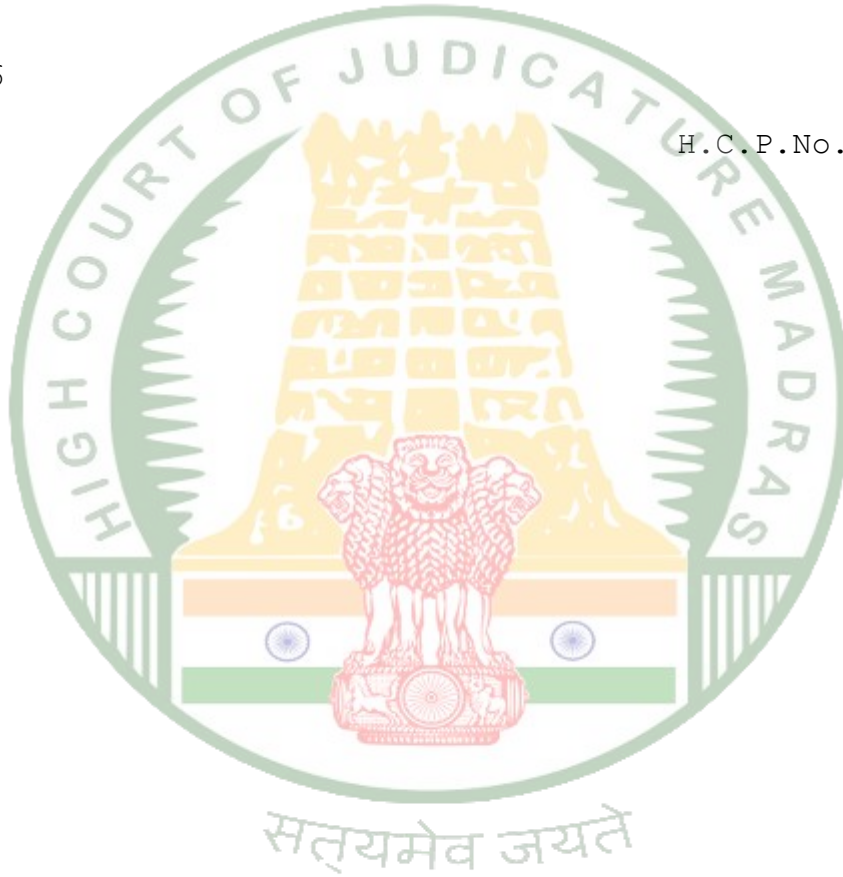
To

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Deputy Superintendent of Police,
Tindivanam, Villupuram District.

3. The Sub Inspector of Police,
Tindivanam Police Station,
Tindivanam 604 001.
 4. The Public Prosecutor, High Court, Mds-104.
 5. The Principal Sub-Judge, Cuddalore.
- + 1 cc to Mr.N.Naveenkumar, Advocate Sr 7994
- + 1 cc to Mr.R.Gururaj, Advocate Sr 7964

KR/17/3/16

H.C.P.No.193 of 2016



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