

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.2186 of 2016

M.Rajan

.. Petitioner

Vs

1.The Inspector of Police,
Annur Police Station,
Coimbatore District.

2.S.Anbazhagan .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the first respondent to produce the body of the petitioner's wife Mrs.Jeeva and the petitioner's daughter Deepika, in connection with the complaint given by the petitioner, dated 27.9.2016 on the file of the first respondent.

For Petitioner : Mr.E.C.Ramesh

For Respondents: Mr.V.M.R.Rajentran,
Additional Public Prosecutor for R-1

ORDER

[Order of the Court was made by M.JAICHANDREN, J.]

This Habeas Corpus Petition has been filed, by the husband of the detenu Jeeva, praying for the issuance of a Writ of Habeas Corpus, seeking a direction to the first respondent to produce the body of the petitioner's wife Jeeva and his daughter Deepika, before this Court.

2. We have heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor appearing on behalf of the first respondent.

3 At this stage of the hearing of the Habeas Corpus Petition, the first respondent police had produced the wife of the petitioner, namely Jeeva, before this Court, along with her minor daughter Deepika. On enquiry, the detenu Jeeva had stated that she had left her matrimonial home, due to the mental and

physical torture meted out to her by the petitioner and his parents. She had further stated that she is living with her father, namely, S.Anbazhagan, the second respondent herein, on her own volition and that there has been no compulsion for doing so. She had further stated that she is living with her father, the second respondent herein, comfortably. However, she had expressed that she may be harmed by the petitioner and his family members. Therefore, she had requested for police protection.

4 In view of the submissions made by the detainee Jeeva, this Court is of the view that she could be permitted to go along with her father, namely, S.Anbazhagan, the second respondent herein. Accordingly, the detainee Jeeva is permitted to go along with her father, namely, S.Anbazhagan, the second respondent herein, as per her wish, along with her minor child Deepika. Hence, no further orders are necessary in the present Habeas Corpus Petition. However, in view of the apprehensions expressed by the detainee Jeeva, the first respondent police is directed to provide sufficient police protection to the detainee Jeeva, as well as to the members of her family, for a reasonable length of time. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Inspector of Police,
Annur Police Station,
Coimbatore District.

2. The Public Prosecutor, High Court, Madras.

GJ(CO)
EU(22/11/2016)

H.C.P.No.2186 of 2016
0.2016