

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

ORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN  
and  
THE HONOURABLE MR. JUSTICE S. BASKARAN

H.C.P.No.2215 of 2016

E.Krishna Perumal ... Petitioner

vs.

1.The Inspector of Police,  
K-11, CMBT Police Station,  
Koyambedu,  
Chennai-600 107

2.The Commissioner of Police,  
Vepery, Chennai-7.

3.Rajendran ... Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Habeas Corpus directing the first respondent to produce the body of petitioner's wife, namely, Dhivya Shree, wife of Krishnaperumal, aged about 19 years, before this Court and to set her at liberty.

For Petitioner : Mr.D.Lakshmipathy

For Respondents : Mr.V.M.R.Rajendren,  
Addl. Public Prosecutor  
for R1 and R2

O R D E R

(Order of the Court was made by S.BASKARAN J.)

This habeas corpus petition has been filed by the husband of the detainee, namely, Dhivya Shree, aged about 19 years, praying that this Court may be pleased to direct the respondent police to produce his wife, before this Court, and to set her at liberty.

2. The detenue was produced before this Court yesterday (19.10.2016) and the matter was referred to mediation, by consent of both the parties. We received the Mediation report, dated 19.10.2016, wherein it is stated that the parties are unable to arrive at an amicable settlement.

3. Today, the petitioner and the detenue are present, along with their respective counsel. On enquiry, the detenue, who is a major, expressed her desire to go along with her parents, who are present before this Court, even though it is stated that she had already married the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the detenue, who is a major, expressed her willingness to go along with her parents, the plea of the petitioner cannot be entertained, at this stage. Hence, the habeas corpus petition stands closed, setting the detenue at liberty, to go along with her parents, as per her wish.

6. Considering the apprehension expressed by the petitioner, the respondent police is directed to keep a watch over the safety of the detenue, for a reasonable length of time. It goes without saying that it is open to the petitioner to seek his remedy, if any, before the appropriate forum, in the manner known to law, if so advised.

msk

Sd/-

Assistant Registrar (CS-II)

/TRUE COPY/

Sub-Assistant Registrar

To

1.The Inspector of Police,  
K-11, CMBT Police Station,  
Koyambedu, Chennai-600 107

2.The Commissioner of Police,  
Vepery, Chennai-7.

3.The Additional Public Prosecutor  
High Court, Madras.

+1CC to MR.D.LAKSHMIPATHY Advocate SR.NO.59515

H.C.P.No.2215/2016

SSK[CO]

MK:08/11/2016



सत्यमेव जयते

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