

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2016

ORAM

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

H.C.P.No.2224 of 2016

S.Elangavi

... Petitioner

vs.

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

2.The Inspector of Police,
E-2, Eriyur Police station,
Pennagaram Taluk,
Dharmapuri District

3.M.Anbu

... 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 respondents 1 and 2 to produce the body of A.Menaka, wife of S.Elangavi, aged about 20 years, now before this Court and set her at liberty.

For Petitioner : No appearance

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

D. Balachandran R3

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, A.Menaka, aged about 20 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. It has been stated that the detinue, namely, A.Menaka, aged about 20 years, has been missing from 30.09.2016. Therefore, the petitioner had preferred a complaint before the second respondent police. Since no effective steps had been taken, to trace the detinue, the husband of the detinue, has come forward with the present habeas corpus petition before this Court.

3. Today, when the matter was taken up for hearing, the respondent police had produced the detinue, before this Court. The third respondent was also present. On enquiry, the detinue had stated that she is all along living with her parents only. She had further stated that the petitioner took her forcibly and effected registered marriage, on 21.08.2015, at Arulmigu Balathandayuthabani Swamy Thirukovil Mohanur Road, Namakkal. She had also stated that she is comfortable and happy to be with her parents and she is not willing to go along with the petitioner.

4. There is no representation on the side of the petitioner, in spite of information given by the Additional Public Prosecutor, to the counsel for the petitioner.

5. Admittedly, the detinue is a major and she is pursuing her 4th year B.Pharm in P.G.P.College, Namakkal. Considering the facts and circumstances of the case and also the fact that the detinue is willing to go along with her father, the third respondent herein, we are inclined to close the habeas corpus petition, setting the detinue at liberty, to go along with the third respondent, as per her wish. Accordingly, the habeas corpus petition stands closed.

msk

Sd/- सत्यमेव जयते

Assistant Registrar (CS VI)

/TRUE COPY/

Sub-Assistant Registrar

WEB COPY

To

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

2.The Inspector of Police,
E-2, Eriyur Police station,
Pennagaram Taluk,
Dharmapuri District

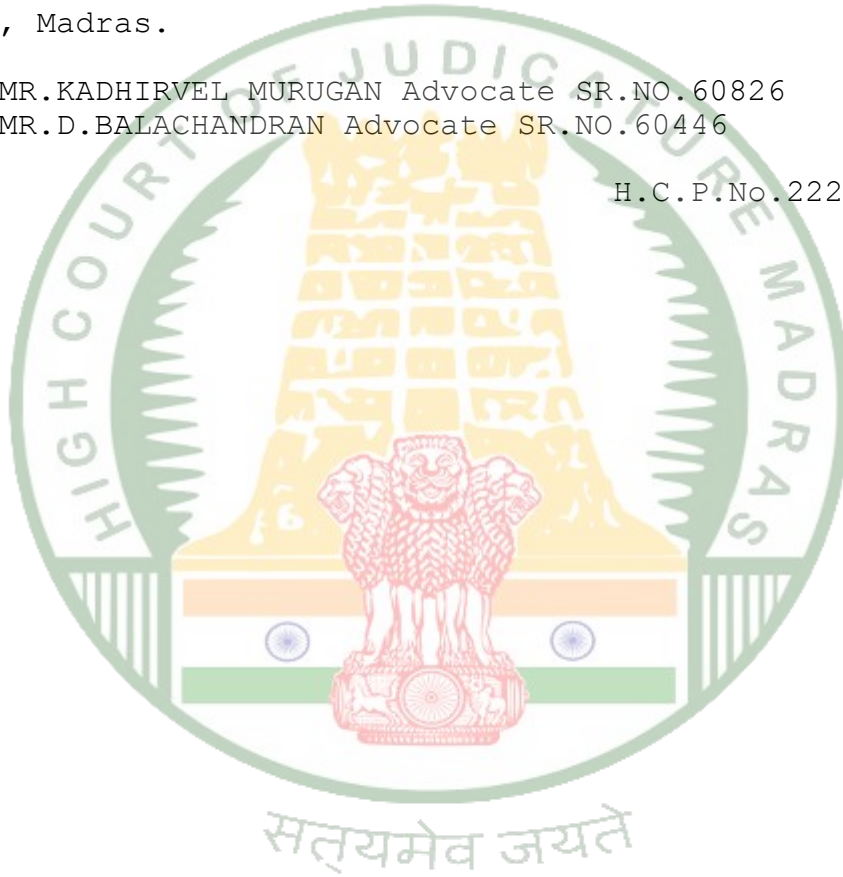
3.The Additional Public Prosecutor
High Court, Madras.

+1CC to MR.KADHIRVEL MURUGAN Advocate SR.NO.60826

+1CC to MR.D.BALACHANDRAN Advocate SR.NO.60446

H.C.P.No.2224/2016

MG[CO]
MK:12/11/2016



WEB COPY