

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN  
and  
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.2242 of 2016

Suresh ... Petitioner / Defacto Complainant  
Vs

- 1.The Superintendent of Police,  
Salem.
- 2.The Deputy Superintendent of Police,  
Valapady,  
Salem District.
- 3.The Inspector of Police,  
Karipatti Police Station.
- 4.Raj Kumar ... Respondents/ Complainants & Accused

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the respondents herein to secure the detenu, namely, Rithenya, wife of Suresh, aged about 19 years, who is in illegal custody of the fourth respondent and to produce before this court.

For Petitioner : No appearance

For Respondents: Mr.V.M.R.Rajentran, APP for RR1 to 3  
No appearance for R-4

ORDER

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

This Habeas Corpus Petition had been listed, under the special list, on the mentioning made by the learned Additional Public Prosecutor for the production of the detenu, before this Court.

2 This Habeas Corpus Petition has been filed by the petitioner, praying that this Court may be pleased to issue a direction to the respondent police to secure the detainee, namely Rithenya, wife of Suresh, aged about 19 years, who is in illegal custody of the fourth respondent, and to produce her before this Court.

3 On enquiry, the detainee, who is aged about 19 years, had stated that she is living with her parents, as there has been some dispute with the petitioner. She had expressed her willingness to go along with the fourth respondent, who is the father of the detainee. The fourth respondent was also present before this Court.

4 In such circumstances, this Court is of the considered view that since the detainee is a major and she had expressed her willingness to go along with the fourth respondent, it is appropriate to permit the detainee to go along with the fourth respondent, as per her wish. Accordingly, the detainee Rithenya is permitted to go along with the fourth respondent, as per her wish. No further orders are necessary in the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-  
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

vvk

To

1.The Superintendent of Police,  
Salem.

2.The Deputy Superintendent of Police,  
Valapady,  
Salem District.

3.The Inspector of Police,  
Karipatti Police Station.

4.The Public Prosecutor,  
High Court, Madras.

1 cc to M/s.R. Nalliyappan, Advocate, Sr. 73961

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SAI (CO)  
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