

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-03-2016

CORAM

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

H.C.P.No.360 of 2016

Sudhahar

.. Petitioner.

Versus

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
All Women Police,
Ulunthurpet Taluk,
Villupuram District.

3. Muniyappan

.. Respondents.

Prayer: Petition filed under Article 226 of the Constitution of India, praying for a Writ of Habeas Corpus, to direct the 2nd respondent to produce the body and person of the petitioner's wife namely Ambika wife of Sudhahar, aged 28 years and set her at liberty.

For Petitioner : No Appearance

For Respondents: Mr.V.M.R.Rajendran
Additional Public Prosecutor (R1 & R2)

ORDER

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

Today, the matter had been listed in the special list, on being mentioned by the learned Additional Public Prosecutor appearing on behalf of the first and the second respondents. Even though the learned counsel appearing on behalf of the petitioner has been informed, he has not been present in Court, at the time of the hearing of the petition.

2. This Habeas Corpus Petition has been filed, praying that this court may be pleased to direct the second respondent to produce the wife of the petitioner, namely, Ambika, aged about 28 years and to set her at liberty.

3. The petitioner, who is the husband of the detinue had stated that he had married the detinue and out of the wedlock they had two children. It has been stated that the third respondent had abducted the detinue, on 10.12.2015, along with his henchmen. They had also robbed the petitioner of nine sovereigns of gold. They had also taken away jewels and money, from the petitioner, due to previous enmity. Therefore, a complaint, dated 14.12.2015, had been lodged before the second respondent to secure the detinue. However, as no steps had been taken by the second respondent to trace the detinue, the petitioner has preferred the present Habeas Corpus Petition before this Court.

4. On enquiry the detinue had stated that she had gone away from her matrimonial home, on her own volition, and she is living with her sister, Palaniammal, in Devar Adyar Kuppam. She had stated that she is not in the illegal custody of the said Palaniammal, or the third respondent herein.

5. In view of the statement made by the wife of the petitioner, namely Ambika, who has been produced before this court, by the second respondent police, we find it appropriate to permit the petitioner's wife, Ambika, to go with her sister, Palaniammal, as per her wish. The Habeas Corpus Petition stands closed, as no further orders are necessary. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

csh

To

1. The Superintendent of Police,
Villupuram District.

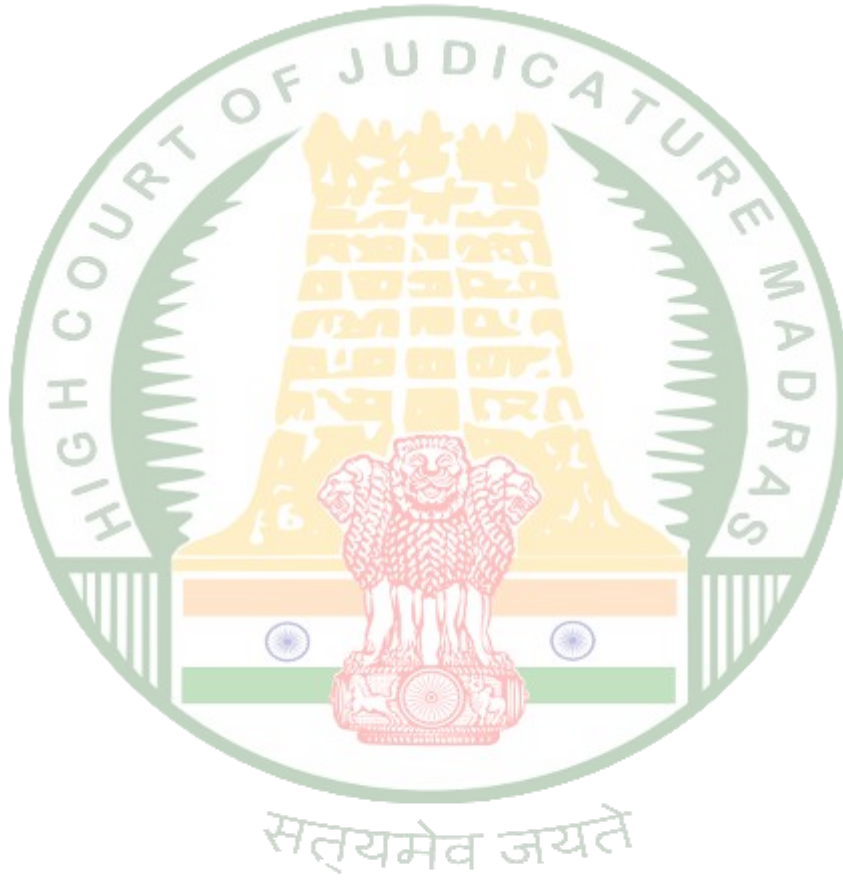
2. The Inspector of Police,
All Women Police,
Ulunthurpet Taluk,
Villupuram District.

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3. The Public Prosecutor
High Court, Madras.

H.C.P.No.360 of 2016

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