

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.976 of 2016

C.Ashok

...Petitioner

vs.

1.The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

2.Sathiyathan

3.Ramamoorthy

4.Padma

5.Prema

6.Chinnapaiyan

7.Jothilakshmi

8.Jeevajothi

9.Sulochana

10.Sivaraman

11.Rajasekar

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents 1 to 11 to produce the person and body of the petitioner's wife Tamizharasi, aged about 19 years, before this Court and hand over her custody to the petitioner herein.

For Petitioner : Mr.E.Kannadasan

For Respondents : Mr.V.M.R.Rajentren
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.Nagamuthu, J.]

This Habeas Corpus Petition has been filed by the petitioner alleging that the detainee viz., Tamizharasi, is his wife and she has been found missing from 11.03.2016 onwards.

2. When this petition came up for hearing on 02.06.2016, the petitioner appeared. Since the respondent Police sought for time to trace out the detainee, the case was adjourned.

3. Today, on a mention made by the learned Additional Public Prosecutor that the detainee has been secured, the case was listed in the Special List. On intimation, the learned counsel for the petitioner made appearance before this Court. But the petitioner did not appear. The learned counsel for the petitioner would pray for adjournment since the petitioner is not present. In our considered view, it is not possible.

4. We enquired the detainee viz., Tamizharasi, aged 19 years. She states that against her wish, she was compelled to marry the petitioner and now, she does not want to live with her husband. She would further state that she has gone on her own accord out of the matrimonial home and she has been living with her uncle by name Mr.Kaliappan. Mr.Kaliappan is also present before the Court. She further stated that she has not been detained by anybody. The said submission is recorded.

5. In view of the statement made by the detainee, no relief as prayed for by the petitioner could be granted. The Habeas Corpus Petition, therefore, stands dismissed.

-s/d-

सत्यमेव जयते
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

svki

To

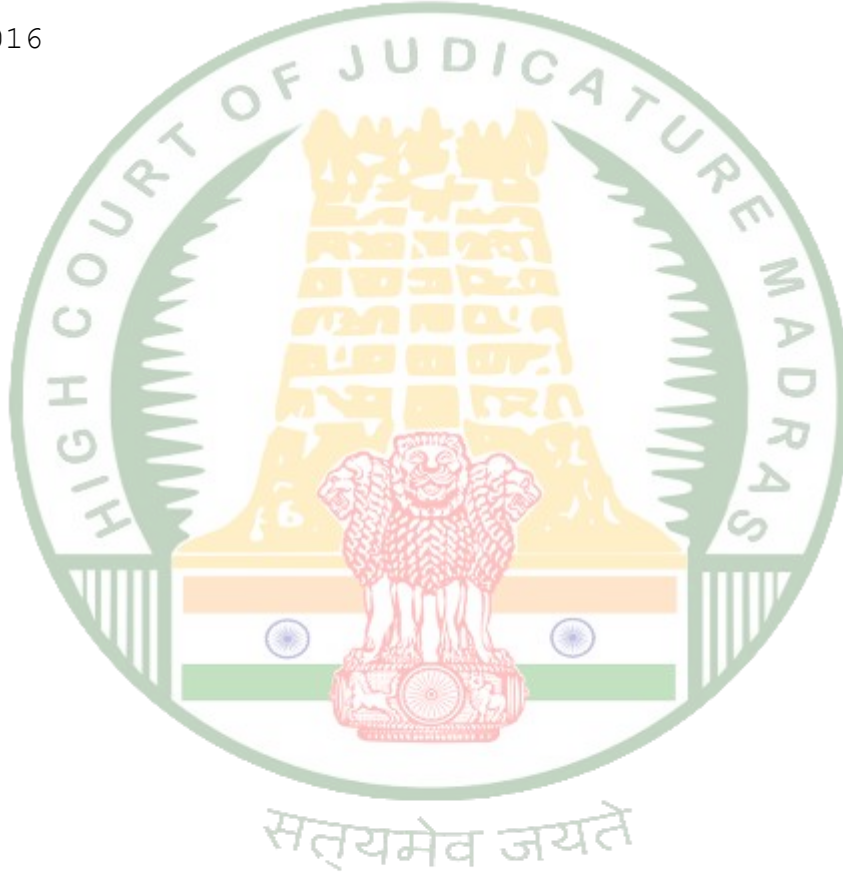
1.The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.E.Kannadesan Advocate sr.29732

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