



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P (MD) No.1484 of 2015

N.Rajalakshmi

.. Petitioner

Vs.

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

2. The Inspector of Police,
Thoovakudi Police Station,
Thoovakudi,
Trichy District.

3. Muthamilselvan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the second respondent to produce the person or body of the petitioner husband (detenu) namely N.Gnanasambanthan aged about 42 years before this Court and set him at liberty.

For Petitioner : Mr.G.Mathavan

For RR - 1 & 2 : Mr.I.Mohan

Additional Public Prosecutor

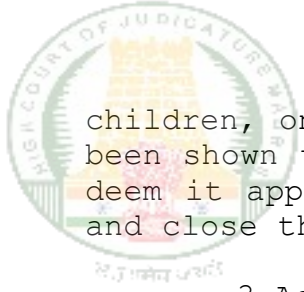
For R - 3 : Party in Person

ORDER

[Order of the Court was made by P.R.SHIVAKUMAR]

The third respondent, as directed by this Court, is present in person. Along with him, the alleged detenu namely, husband of the petitioner is also present. On being questioned, Gnanasambanthan, the alleged detenu submits that due to difference of opinion with his wife namely, the petitioner, he has left her and he is living separately. However, we are able to see a drastic change in his attitude from the one exhibited last occasion, when he was before this Court.

2.The above said observation is made in the light of the discharge summary issued by the CARD DE-ADDICTION HOSPITAL, Samathuvapuram, Pulivalam Post, Thirumayam Taluk, Pudukottai District, where Gnanasambanthan was given treatment. However, this Court is helpless, because of the stubborn stand taken by Gnanasambanthan, that he is not under the custody of anyone and he is living away from his wife and



children, on his own volition. As Gnanasambanthan is a major, who has not been shown to have lost his legal capacity of taking his own decision, we deem it appropriate to record the said statement made by Gnanasambanthan and close this Habeas Corpus Petition.

3. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Trichy, Trichy District.
2. The Inspector of Police,
Thoovakudi Police Station,
Thoovakudi,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

MJ

TE/PM-MP/ : 04/02/2016 : 2P/4C

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