



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P. (MD) No.1489 of 2016

S.Arockiasamy : Petitioner

Vs.

State rep. by

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

: Respondents

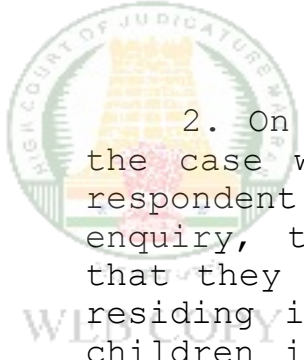
Prayer: Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's wife Ramu (Aged 30 years), W/o.Arockiasamy and petitioner's children namely Jeevitha (8 years), D/o.Arockiasamy and Serin Ragul (7 years), S/o.Arockiasamy, before this Court and set them at liberty.

For Petitioner : Mr.S.P.K.Shanmuga Raja
For Respondents : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

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

One S.Arockiasamy has filed this Habeas Corpus Petition alleging that his wife, viz., Ramu, aged 30 years and his children, viz., Jeevitha, aged 8 years and Serin Ragul, aged 7 years were found missing from 15.08.2016 onwards. A complaint has been given to the respondent police. But, no action was taken so far. Hence, he has come up with this Habeas Corpus Petition.



2. On mentioning by the learned Additional Public Prosecutor, the case was taken up for hearing today at 12.30 p.m., and the respondent police produced the detainees before this Court. On enquiry, the petitioner's wife, namely Ramu informed this Court that they have not been taken by any other persons, but they are residing in a separate house and she is giving education to her children in front of her house. She also states that she is not willing to go with the petitioner and she also leads a separate life from the petitioner.

3. Recording the submission made by Ramu, the first detainee, we close the Habeas Corpus Petition by giving liberty to her to choose her own way of life.

Sd/-

Assistant Registrar(CRL)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SML

sm:DB:28/11/2016:2P/5C

Order made in
H.C.P.(MD) No.1489 of 2016
Dated: 15.11.2016